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THE

JOURNAL OF THE SENATE

OF THE

STATE OF OHIO,

FOR THE SESSION OF THE

SIXTY-THIRD GENERAL ASSEMBLY,

COMMENCING

MONDAY, JANUARY 7, 1878.

VOLUME LXXIV.

SPRINGFIELD, OHIO:

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MEMBERS AND OFFICERS

OF THE

SENATE,

OF THE

SIXTY-THIRD GENERAL ASSEMBLY OF THE STATE OF OHIO.

MEMBERS OF SENATE.

Dist.	NAMES.	COUNTIES.	POSTOFFICE.	OCCUPATION.
1	Armstrong, James M...	Hamilton	Cincinnati	Merchant.
26	Beebe, David Duncan..	Portgage and Summit...	Hudson	Merchant & Banker
27 29	Beer, Thomas M.	Medina, Lorain, Ashland and Richland	Ashland	Merchant.
17 18	Benson, John H.	Knox, Morrow, Wayne and Holmes	Cardington	Farmer.
9	Carlisle, Basil W.	Athens, Hocking and Fairfi'ld	Hooker Station	Farmer.
12	Carson, J. M.	Miami, Darke and Shelby	Anna	Farmer.
25	Curtiss, Harvey W.	Cuyahoga	Chagrin Falls...	Physician.
7	Dungan, Irvine.	Adams, Pike, Scioto and Jackson	Jackson C. H.	Attorney.
18	Fisher, John C.	Coshocton and Tuscarawas.	Coshocton	Printer.
1	Forrest, William T.	Hamilton	Cincinnati	Attorney.
3	Grove, George A.	Montgomery and Preble.	Miamisburg	General Business.
24	Howland, W. P.	Ashtabula, Lake and Geauga..	Jefferson	Attorney.
14	Irvine, John.	Washington, Morgan and part of Noble	Harmar	Attorney.
15	Jackson, Lyman J.	Muskingum and Perry	New Lexington	Attorney.
5	Jackson, Thomas S.	Greene, Clinton and Fayette..	Westboro	Farmer.
23	Johnston, Joseph R.	Mahoning and Trumbull	Canfield	Attorney.
33	Joy, David.	Fulton, Hancock, Henry, Lucas, Putnam and Wood	Findlay	Hotel Keeper.
8	Kelley, Lindsey.	Lawrence, Gallia, Meigs and Vinton	Ironton	Iron Manufacturer.
10	Krimmel, Charles F.	Franklin and Pickaway	Circleville	Attorney.
1	Lord, Henry C.	Hamilton	Riverside	Attorney.
1	Marsh, Theodore.	"	Hartwell	Druggist.
6	McDonald, John C.	Highland and Ross	Lattasville	Farmer.
16	Owens, James W.	Delaware and Licking.	Newark.	Attorney.
30	Parker, C. S.	Huron, Erie, Sandusky and Ottawa	Norwalk	Merchant.
22	Richards, Rees G.	Jefferson and Columbiana	Steubenville	Attorney.
13	Sabine, Hylas.	Logan, Union, Marion and Hardin	Richwood	Real Estate Dealer.
32	Saltzgaber, Gaylord M.	Allen, Auglaize, Defiance, Mercer, Paulding, Van Wert and Williams	Van Wert	Attorney.
31	Seitz, John.	Seneca, Crawford and Wyandot	Tiffin	Farmer.
21	Sherrick, Johnson.	Carroll and Stark	Canton	Merchant.
33	Steedman, James B.	Fulton, Hancock, Henry, Lucas, Putnam and Wood	Toledo	Editor.
2	Stokes, William H.	Butler and Warren	Waynesville	Farmer.
4	Tyler, George P.	Clermont and Brown	Russellville	Manufacturer.
20	Wagener, David.	Belmont and Harrison	Bridgeport	Manufacturer.
19	Williams, Joseph B.	Guernsey, Monroe and part of Noble	Summerfield	Farmer& Physician
11	Wilson, George W.	Clark, Champaign and Madison	London	Attorney.

OFFICERS OF SENATE.

NAMES.	OFFICE.	COUNTY.	POSTOFFICE.	OCCUPATION.
Jabez W. Fitch	President	Cuyahoga	Cleveland	Lawyer.
James W. Owens	President *pro tem*	Licking.	Newark	Attorney.
Allen O. Myers	Clerk	Hamilton	Cincinnati	Correspondent.
David S. Fisher	Journal Clerk	Hardin	Kenton	Editor.
Will. V. Cox	Message Clerk	Muskingum	Zanesville	Attorney.
Solon L. Goode	Enrolling Clerk	Franklin	Columbus	Reporter.
Charles Rhodes	Engrossing Clerk	Jackson	Jackson	Printer.
Edward A. Knowles	Recording Clerk	Clermont	Felicity	Druggist.
Isaac Glaze	Sergeant-at-Arms	Fayette	Jeffersonville	Farmer.
Charles Negley	1st As't Serg't-at-Arms.	Darke	Union City	Livery.
Frank A. Davis	2d As't Serg't-at-Arms.	Morgan	McConnelsville	Publisher.

JOURNAL OF THE SENATE.

SENATE CHAMBER, COLUMBUS, OHIO,
MONDAY, January 7, 1878.

This being the day designated by the Constitution of the State of Ohio, for the meeting of the General Assembly, Senators, elect, met in the Senate Chamber, at the hour of 10 o'clock A. M., and the Lieutenant-Governor, Thomas L. Young, acting in the discharge of the duties of the office of Governor, Hon. John C. McDonald, Senator elect from the 6th district, the oldest member of the Senate, present, called the members elect to order, and appointed Hon. Johnson Sherrick, Senator elect from the 21st district, as clerk *pro tem.*

The Chairman then called over the Senatorial Districts in their order, and the following named persons, claiming to be members, presented their certificates of election, as Senators from their respective districts, and took an oath of office (administered by Judge W. J. Gilmore, Justice of the Supreme Court) to support the Constitutions of the United States and of the State of Ohio, and also an oath of office, and entered upon the discharge of their duties:

1st	District—	William T. Forrest.	15th	District—	Lyman J. Jackson.
"	"	James M. Armstrong.	16th	"	James W. Owens.
"	"	Henry C. Lord.	17th & 28th	"	John H. Benson.
"	"	Theodore Marsh.	18th	"	John C. Fisher.
2d	"	William H. Stokes.	19th	"	Jos. B. Williams.
3d	"	George A. Grove.	20th	"	David Wagener.
4th	"	George P. Tyler.	21st	"	Johnson Sherrick.
5th	"	Thos. S. Jackson.	22d	"	Reese G. Richards.
6th	"	John C. McDonald.	23d	"	Joseph R. Johnston.
7th	"	Irvine Dungan.	25th	"	Harvey W. Curtiss.
8th	"	Lindsey Kelley.	26th	"	David D. Beebe.
9th	"	Basil W. Carlisle.	27th & 29th	"	Thomas M. Beer.
10th	"	Charles F. Krimmel.	30th	"	C. S. Parker.
11th	"	George W. Wilson.	31st	"	John Seitz.
12th	"	James M. Carson.	32d	"	G. M. Saltzgaber.
13th	"	Hylas Sabine.	33d	"	Jas. B. Steedman.
14th	"	John Irvine.	"	"	David Joy.

On motion of James B. Steedman, Senator from the 33d district, Senator John Seitz was chosen as chairman for the purpose of conducting the election of a President.

Mr. Carlisle offered for adoption the following resolution:

S. R. No. 1—WHEREAS—By the resignation of the office of Governor by Rutherford B. Hayes, and the promotion thereto of Lieutenant-Governor Thomas L. Young, the Senate is without a constitutional presiding officer; therefore, be it

Resolved, That the Senate proceed, at once, to the election of a President.

The question being on the adoption of the resolution, the yeas and nays were taken, and resulted—yeas 25, nays 8, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams—25.

Those who voted in the negative were—

Messrs. Beebe, Beer, Jackson of Clinton, Johnston, Kelley, Richards, Sabine, Wilson—8.

So the resolution was adopted.

Mr. Benson nominated for said office of President, James W. Owens, of Licking.

Mr. Richards nominated for said office of President, Harvey W. Curtiss, of Cuyahoga.

Those who voted for Mr. Owens were—

Messrs. Armstrong, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams—25.

Those who voted for Mr. Curtiss were—

Messrs. Beebe, Beer, Jackson of Clinton, Johnston, Kelley, Owens, Richards, Sabine, Wilson—9.

The Chairman (Mr. Seitz) declared Mr. Owens elected President.

On motion of Mr. Williams, a committee of three was appointed to wait upon the President elect, and conduct him to the chair.

The Chairman appointed Messrs. Williams, Forrest, and Carlisle as the committee.

The President, having taken the chair, declared that the next business in order was the election of the Clerk.

Mr. Steedman nominated for said office Allen O. Myers, of Hamilton county.

Mr. Wilson nominated for said office Jacob C. Donaldson, of Franklin county.

Those who voted for Mr. Myers were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Owens. Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams—25.

Those who voted for J. C. Donaldson were—

Messrs. Beebe, Beer, Curtiss, Jackson of Clinton, Johnston, Kelley, Richards, Sabine, Wilson—9.

So Mr. Myers was declared duly elected Clerk of the Senate, and having taken an oath to support the Constitution of the United States, and the Constitution of the State of Ohio, and also an oath of office, administered by Hon. W. J. Gilmore, a Judge of the Supreme Court of Ohio, he proceeded to the discharge of the duties of his office.

The next business in order being the election of a First Assistant Clerk, Mr. Jackson, of Perry, nominated for said office, David S. Fisher, of Hardin County.

Mr. Richards nominated for said office, Howard E. Gilkey, of Franklin county.

Those who voted for Mr. Fisher were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams—25.

Those who voted for Mr. Gilkey were—

Messrs. Beebe, Beer, Curtiss, Jackson of Clinton, Johnston, Kelley, Richards, Sabine, Wilson—9.

So Mr. Fisher was declared elected, and having taken an oath, admintered by Judge W. J. Gilmore, to support the Constitution of the United States, and the Constitution of the State of Ohio, and also an oath of office, proceeded to the discharge of the duties of his office.

The next business in order being the election of a Second Assistant Clerk, Mr. Jackson, of Perry, nominated for said office Wm. V. Cox, of Muskingum County.

Mr. Beer nominated for said office Chas. C. Baker.

Those who voted for Mr. Cox were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams—25.

Those who voted for Mr. Baker were—

Messrs. Beebe, Beer, Curtiss, Jackson of Clinton, Johnston, Kelley, Richards, Sabine, Wilson—9.

So Mr. Cox was declared elected, and having taken an oath, administered by Judge W. J. Gilmore, to support the Constitution of the United States, and the Constitution of the State of Ohio, and also an oath of office, proceeded to the discharge of the duties of his office.

The next business in order being the election of the Sergeant-at-Arms, Mr. Carlisle nominated for said office, Isaac Glaize, of Fayette. County.

Mr. Curtiss nominated for said office Edward L. Jones, of Lucas County.

Those who voted for Mr. Glaize were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams—25.

Those who voted for Mr. Jones were—

Messrs. Beebe, Beer, Curtiss, Jackson of Clinton, Johnston, Kelley, Richards, Sabine, Wilson—9.

So Mr. Glaize was declared elected Sergeant-at-Arms, and having taken an oath, administered by Judge W. J. Gilmore, to support the Constitution of the United States, and the Constitution of the State of Ohio, and also an oath of office, proceeded to the discharge of the duties of his office.

The next business being the election of a First Assistant Sergeant-at-Arms, Mr. Carson nominated for said office, Chas. F. Negley, of Darke County.

Mr. Richards nominated for said office Silas N. Field, of Franklin County.

Those who voted for Mr. Negley were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams—25.

Those who voted for Mr. Fields were—

Messrs. Beebe, Beer, Curtiss, Jackson of Clinton, Johnston, Kelley, Richards, Sabine, Wilson—9.

So Mr. Negley was declared elected First Assistant Sergeant-at-Arms, and having taken an oath, administered by Judge W. J. Gilmore, to support the Constitution of the United States, and the Constitution of the State of Ohio, and also an oath of office, proceeded to the discharge of the duties of his office.

The next business being the election of a Second Assistant Sergeant-at-Arms, Mr. Irvine nominated for said office, F. A. Davis, of Morgan County.

Mr. Johnson nominated for said office Mr. Jacob Hildebrand.

Those who voted for Mr. Davis were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams—25.

Those who voted for Mr. Hildebrand were—

Messrs. Beebe, Beer, Curtiss, Jackson of Clinton, Johnston, Kelley, Richards, Sabine, Wilson—9.

So Mr. Davis was declared to be elected Second Assistant Sergeant-at-Arms, and having taken an oath, administered by Judge W. J. Gilmore, to support the Constitution of the United States, and the Constitution of the State of Ohio, and also an oath of office, proceeded to the discharge of the duties of his office.

The President declared that the Senate was duly organized and ready for business.

Mr. Tyler offered for adoption the following resolution:

S. R. No. 2—*Resolved*—That the rules of the Senate of the Sixty-Second General Assembly be adopted for the government of this Senate until otherwise ordered.

The resolution was adopted.

Mr. Johnston submitted the followimg protest to be spread upon the Journal:

We, the undersigned, members of the Senate, protest against the action of a majority of the members thereof, in the organization of the same, for the following reasons, to-wit:

1st. That on the 28th day of February, A. D. 1877, Hon. R. B. Hayes, then Governor of the State of Ohio, resigned his said office.

2d. That pursuant to Sec. 16, Art. III, of the Constitution, the powers and duties of the office of Governor devolved upon Hon. Thomas L. Young, then Lieutenant Governor, who assumed the duties of said office, and entered upon the discharge of the same.

3d. That on the 7th day of March, A. D. 1877, the contingency having arisen, under said Section 16, Art. III, of the Constitution, whereby the Lieutenant Governor began exercising the office of Governor, the Senate, being then in session, chose Hon. Harvey W. Curtiss, then Senator from

Cuyahoga County, as President of the Senate, who took the requisite oath and entered upon the discharge of the duties pertaining to that position. (See Senate Journal, 1877, p. 250).

4th. That the act of the General Assembly, passed February 9, 1853, entitled "An act to provide for the organization of the General Assembly, (S. & C., Vol. 1, p. 668), provides, that the President of the Senate, or, in case of his absence or inability, then the oldest member present shall take the chair, and call the members-elect to order," etc., and proceed to organize the Senate as provided in section 3, of said act, and that the duty of calling the members-elect to order, and organizing the Senate, devolved upon said Harvey W. Curtiss, acting as President of the Senate, he being present, and also being the oldest member present in point of service, (See Cushing's Law of Legislative Assemblies, Sec. 242).

In view of the foregoing constitutional provision, the action of the Senate, at the last session, and the act of the General Assembly referred to, and believing that in pursuance thereof, said Harvey W. Curtiss was entitled to preside at the organization of the Senate, and that upon him devolved the duty of calling the members-elect to order, and organizing the Senate, and when in the act of so doing, he was prevented by the majority, calling to the chair John Seitz, and said majority thereupon proceeded to choose James W. Owens, as President *pro tem*, and organize the Senate.

To all of which we enter our solemn protest, believing the same to be without warrant in law and in direct violation of the provisions of the Constitution, and the act of the General Assembly, passed in pursuance thereof, and we ask that this our protest may be entered upon the Journal of the Senate.

J. R. JOHNSTON,	LINDSEY KELLEY,
R. G. RICHARDS,	G. W. WILSON,
THOMAS M. BEER,	THOS. S. JACKSON,
D. D. BEEBE.	

Mr. Carson offered the following Joint Resolution:

S. J. R. No. 1.—*Be it resolved by the General Assembly of the State of Ohio*, That a committee of two, on the part of the Senate, and ——— on the part of the House, be appointed to wait upon the Governor, and inform him that the General Assembly is now in session, and ready to receive any communication he may wish to transmit.

On motion of Mr. Curtiss the resolution was laid upon the table.

Mr. Fisher offered the following resolution, which was adopted:

S. R. No. 3—*Resolved*, That a message be sent to the House of Representatives, informing that body that the Senate is duly organized and ready to proceed to business.

Mr. Curtiss moved that S. J. R. No. 1 be taken from the table, which was agreed to.

The question being on the adoption of the resolution, the yeas and nays were taken, and resulted—yeas 34, nays 0, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams, Wilson—34.

So the resolution was adopted.

Mr. Forrest offered for adoption the following Joint Resolution:

S. J. R. No. 2—*Be it resolved by the General Assembly of the State of Ohio,* That the two Houses of the General Assembly meet in joint convention in the Hall of the House of Representatives, on Wednesday, January 9, at 11 o'clock A. M., to count the votes cast for State officers, at the election held on the 2d Tuesday in October (last), 1877.

The question being on the adoption of the resolution, the yeas and nays were ordered, taken and resulted—yeas 29, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Joy Kelley, Krimmel, Lord, Marsh, McDonald, Parker, Richards, Sabine. Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams—30.

Those who voted in the negative were—

Messrs. Johnston, Owens—2.

So the resolution was adopted.

Mr. Richards offered the following resolution, which was adopted:

S. R. No. 4—*Resolved,* That the use of the Senate Chamber be tendered to the Ohio State Board of Agriculture on Wednesday, after 11 A. M., the 9th inst., for the purpose of holding its annual convention.

Mr. Krimmel offered the following resolution, which was adopted:

S. R. No. 5—*Resolved,* That the members of the Senate proceed to the selection of seats by lot.

The Senators proceeded to the selection of the same by ballot.

On motion, the members of the last Senate were accorded the privilege of selecting seats prior to the drawing.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives is now organized and ready for the transaction of business. The following being the officers elected:

Speaker, James E. Neal.
Clerk, L. A. Brunner.
Journal Clerk, F. M. Senter.
Message Clerk, John T. Brady.
Sergeant-at-Arms, Allen J. Beach.
First Ass't Sergeant-at-Arms, John W. Trautman.
Second Ass't Sergeant-at-Arms, Thomas Whalen.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Dungan offered the following resolution, which was adopted:

S. R. No. 6—*Resolved,* That when the Senate adjourns upon any day, without any other time being determined upon, it shall be until the hour of ten o'clock A. M. of the next legislative day; and whenever it takes a recess upon any day, unless another hour is selected, it shall be until the hour of three o'clock P. M. of the same day.

On motion of Mr. Johnston the Senate took a recess.

THREE O'CLOCK P. M.

Mr. Tyler offered the following resolution, which was adopted:

S. R. No. 7 — *Resolved,* That the President of the Senate shall

appoint a select committee of four Senators to report rules for the government of this body.

The President appointed Messrs. Tyler, Fisher, Forrest and Curtiss as said committee.

Mr. Krimmel offered the following resolution:

S. R. No. 8—*Resolved,* That the Sergeant-at-Arms be authorized to appoint two porters.

The question being on the adoption of the resolution, the yeas and nays were ordered, taken, and resulted—yeas 33, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener, Williams, Wilson—33.

So the resolution was adopted.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the adoption of—

S. J. R. No 1—Mr. Carson—Providing for the appointment of a joint committee to wait upon the Governor, and has filled the blank with the word "three."

The Speaker has appointed as such committee on the part of the House, Messrs. Loder, Wolf and Dempcy.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bill has been introduced in the House of Representatives and read the first time:

H. B. No. 1—Mr. Norton—A bill for the reorganization, government and better regulation of the Ohio Penitentiary, and to repeal certain act therein named.

Attest: L. A. BRUNNER, *Clerk.*

The President appointed Messrs. Carson and Williams, as members on part of the Senate, on the committee to wait upon the Governor, in pursuance of S. J. R. No. 1.

Mr. Sherrick offered the following joint resolution:

S. J. R. No. 3—*Be it resolved by the General Assembly of the State of Ohio,* That a committee of three on the part of the Senate, and ——— on part of the House, be appointed to make such arrangements as may be necessary for the inauguration of the Governor-elect on Monday next, the 14th inst.

The question being on the adoption of the resolution, the yeas and nays were ordered, taken and resulted—yeas 29, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Sherrick, Stokes, Tyler, Wagener, Wilson—29.

So the resolution was adopted.

Mr. Richards, on leave, introduced the following bill, which was read the first time:

S. B. No. 1—To amend an act entitled "An act to enroll the militia of Ohio, to organize a volunteer militia, and to repeal certain acts therein named," passed April 2, 1876, (S. & S. p. 449).

Mr.Fisher offered the following resolution, which was adopted:

S. R. No. 9—*Resolved*, That the Senate be opened with prayer each day, and that the President be requested to invite the clergymen of Columbus to perform this service.

Mr. Carson, from the joint committee of the Senate and House of Representatives, appointed in pursuance of S. J. R. No. 1, to wait upon the Governor, reported that they had discharged that duty, and the Governor informed them that he would communicate by message to the two Houses of the General Assembly.

The Governor's annual message was received at the bar of the Senate from his Private Secretary, and read at the Clerk's desk.

On motion of Mr, Richards, the message was referred to a select committee of three.

The President appointed as such committee, Messrs. Richards, Lord and Dungan.

The President announced the appointment of the following messenger boys: Frank S. Murray, Chas. Thurman Smith and George W. Shaw.

Mr. Carlisle offered the following resolution:

S. R. No. 10—*Resolved*, That the Porter, and Assistant Porter, of the Senate, be paid a per diem, during the session, of two dollars and fifty cents.

The question being on the adoption of the resolution, the yeas and nays were ordered, taken and resulted—yeas 30, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams, Wilson—30.

Mr. Saltzgaber, by leave, introduced the following bill, which was read the first time.

S. B. No. 2—To amend an act entitled an act "To amend an act fixing the rate of interest," passed May 4, 1869, (L. v. 69, p. 91 and 92.)

Mr. Dungan offered the following resolution, which was adopted:

S. R. No. 11—*Resolved*, That the Sergeant-at-Arms be directed to make immediate arrangements with the Postmaster of Columbus, to have the mails for the Senate transmitted to the Senate Chamber forthwith, after their arrival in the city.

On motion of Mr. Krimmel the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk*.

TUESDAY, Jan, 8, 1878—10 o'clock A. M.

The Senate met pursuant to adjournment.

The Journal was read and approved.

Mr. Benson gave notice of his intention, on Thursday next, or some subsequent day of the session, to introduce a bill to amend "An act sup-

plementary and amendatory of the act entitled an act to amend sections 1, 2, 4, and 24, of an act entitled an act to preserve the purity of elections," passed May 7, 1877.

Mr. Beer presented the petition of J. Crall, Mayor, and eight other citizens of Ashland, Ashland county, O., praying for the passage of a law authorizing the purchase of a fire engine for said place, which was laid upon the table.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 2—Mr. Achaner—To amend an act entitled "An act supplementary and amendatory of the act entitled an act to amend sections 2, 4 and 24 of an act entitled an act to preserve the purity of elections," as passed May 7, 1877, (O. L. vol. 74, p. 24), and to repeal certain sections of said act.

H. B. No. 3—Mr. Dodds—To provide for the reorganization and management of the fire department in certain cities of the first class, and to repeal section 14 of an act therein named.

H. B. No. 4—Bohl—To amend an act entitled "An act to amend an act passed April 6, 1866, entitled an act supplementary to an act to establish a code of civil procedure," passed March 11, 1853, passed April 3, 1867, (S. & S. p. 582) passed March 28, 1876 (73 O. L. 100.)

H. B. No. 5—Mr. Hart—To amend an act entitled "An act supplementary and amendatory of the act entitled an act to amend sections 2, 4 and 24, of an act entitled an act to preserve the purity of elections," passed May 17, 1877 (vol. 74, p. 211) and to repeal certain sections thereof.

H. B. No. 6—Mr. Poe—Limiting the compensation of certain officers therein named.

H. B. No. 7.—Mr. Foster—Relating to juries in certain counties.

H. B. No. 8—Mr. Poe—To amend an act passed April 2, 1866, entitled "An act to enroll the militia of Ohio, to organize the volunteer militia and to repeal certain acts therein named," (63, vol. 70, S. & S. 449.)

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the adoption of—

S. J. R. No. 2—Mr. Forrest—Providing for counting the votes cast for State officers.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution in which the concurrence of the Senate is requested:

H. J. R. No. 1—Mr. Bohl—Declaring United States Bonds payable, principal and interest, in silver at the option of the Government, and

instructing our Senators and Representatives in Congress to support the "Bland Silver Bill" without any amendments limiting free coinage.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution in which the concurrence of the Senate is requested:

H. J. R. No. 2—Mr. Parker—Appointing joint select committee to report rules for the government of both Houses.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution in which the concurrence of the Senate is requested:

H. J. R. No. 3—Mr. Van Cleaf—Appointment of a committee on inauguration.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Sherrick moved that H. J. R. No. 3 be referred to select committee of three.

Which was agreed to.

The President appointed as such committee Messrs. Sherrick, Johnston and Seitz.

Mr. Sherrick moved that H. J. R. No. 2 be referred to a committee of three.

Which was agreed to.

The President appointed Messrs. Joy, Williams and Seitz as such committee.

Mr. Sherrick, from the select committee, to whom was referred H. J. R. No. 3, reported the same back, and recommended its indefinite postponement.

Which was agreed to.

Mr. Forrest moved that H. J. R. No. 1 be referred to a select committee of three.

Mr. Johnston moved to refer to the committee on Finance when appointed.

Which was agreed to.

The motion to refer to a select committee was then agreed to.

The President appointed Messrs. Forrest, Curtiss and Jackson, of Perry, as such committee.

Mr. Forrest gave notice of his intention, on Thursday, or some subsequent day of the session, to introduce a bill to fix and prescribe the duration of a day's labor in the State of Ohio.

Mr. Lord, on leave, introduced the following bill, which was read the first time:

S. B. No. 3—A bill further to amend the act entitled "An act to authorize free banking," passed March 21, 1851, (49 O. L. 41), and the acts amendatory and supplemental thereto.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the adoption of—

S. J. R. No. 3—Mr. Sherrick—Providing for the appointment of a joint select committee to make necessary arrangements for the inauguration of the Governor-elect, and has filled the blank with the word "five."

The Speaker has appointed as such committee on the part of the House, Messrs. Parker, Lovelace, Booth, Palmer and Dalzell.

Attest: L. A. BRUNNER, *Clerk.*

The President appointed Messrs. Sherrick, Johnston and Joy the committee on the part of the Senate provided for by said resolution.

Mr. Saltzgaber gave notice of his intention, on to-morrow, or some subsequent day of the session, to introduce a bill to repeal an act entitled "An act supplementary to the act to require mortgages or bills of sale of personal property to be deposited with township clerks," passed and took effect April 30, 1877, (O. L. vol. 74, p. 149.)

On motion of Mr. Benson the Senate took a recess.

THREE O'CLOCK P. M.

Mr. Jackson, of Perry, on leave, introduced the following bill:

S. B. No. 4.—An act to regulate the payment of indebtedness of mining companies and corporations to employes for work and labor.

Mr. Curtiss, on leave, introduced the following bill:

S. B. No. 5—A bill to exempt cities of a certain grade from the provisions of acts therein named.

Mr. Howland, Senator-elect from the Twenty-fourth District, presented his credentials, and took an oath, administered by Judge W. J. Gilmore, Justice of the Supreme Court, to support the Constitution of the United States, and the Constitution of the State of Ohio, and also an oath of office, and entered upon the discharge of the duties of his office.

Mr. Tyler, from the select committee, appointed in pursuance of S. R. No. 2, to prepare rules for the government of the Senate, reported rules in accordance with the provisions of the resolution. (See appendix to Journal.)

The report was signed by the members of the committee as follows:

GEO. P. TYLER, W. T. FORREST,
J. C. FISHER, H. W. CURTISS.

On motion of Mr. Curtiss the report of the committee was laid upon the table and ordered to be printed.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives, and read the first time:

H. B. No. 9—Mr. Wright—To fix the salaries of Judges of the Supreme Court.

H. B. No. 10—Mr. Clough—To provide for the purchase of books for the use of common schools.

H. B. No. 11—Mr. Wright—To provide for the better regulation of the police in certain cities of the first class, and to repeal certain acts therein named.

H. B. No. 12—Mr. Bohl—To amend sections 18, 19 and 20 of an act for the reorganization and maintenance of common schools (O. L., vol. 70, 1873, pp. 198 and 199) passed May 1, 1873.

H. B. No. 13—Mr. Johnson—To change the surname of persons therein named.

H. B. No. 4—Mr. Haley—To amend section 28 of the code of civil procedure, passed March 30, 1874.

H. B. No. 15—Mr. Bohl—To secure the wages of labor.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives requests the return of—

H. J. R. No. 1—Mr. Bohl—Declaring United States Bonds payable principal and interest in silver at the option of the Government, and instructing our Senators and requesting our Representatives in Congress to support the "Bland Silver Bill" without any amendments limiting free coinage.

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Curtiss the request of the House of Representatives was granted.

Mr. Joy submitted the following report:

The select committee of three to whom was referred H. J. R. No. 3, having had the same under consideration, report it back with the recommendation that it be adopted, and that the blank be filled with the word "three" on the part of the Senate.

D. JOY,
J. B. WILLIAMS,
JOHN SEITZ.

Which report was adopted.

The question being on the adoption of the resolution, the yeas and nays were demanded, taken and resulted—yeas 35, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams, Wilson—35.

Mr. Forrest, on leave, introduced the following bill:

S. B. No. 6—A bill to prescribe the duties of county commissioners in counties containing cities of the first class having a population exceeding one hundred and eighty thousand.

The President appointed Messrs. Fisher, Williams and Curtiss as a committee on Joint Rules, in pursuance of H. J. R. No. 2.

Mr. Johnston offered the following resolution:

S. R. No. 12—*Resolved*, That the Sergeant-at-Arms be and he is hereby authorized to procure two dozen chairs for use in the Senate Chamber.

The question being on the adoption of the resolution, the yeas and nays were ordered, taken and resulted—yeas 32, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams, Wilson—32.

So the resolution was adopted.

Mr. Richards offered the following resolution:

S. R. No. 13—*Resolved*, That the Sergeant-at-Arms be and he is hereby authorized to procure a desk for the use of the Clerk of the Senate.

The question being on the adoption of the resolution, the yeas and nays were demanded, taken and resulted—yeas 33, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams—33.

So the resolution was adopted.

Mr. Lord gave notice of his intention, on to-morrow, or some subsequent day of the session, to introduce a bill to provide for the prompt payment of wages already earned and due to employes of railroad corporations, and for the payment of supplies purchased and necessary for the preservation of railway property and current transportation.

On motion of Mr. Sherrick, the report of the committee on Rules for the Senate, was taken from the table.

On motion of Mr. Tyler, the report of the committee was adopted.

Mr. Krimmel moved that the Senate adjourn.

Which was disagreed to.

Mr. Forrest, on leave, introduced the following bill:

S. B. No. 7.—To authorize certain courts to appoint stenographers.

On motion of Mr. Krimmel the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

WEDNESDAY, JANUARY 9, 1878—10 o'clock A. M.

The Senate met pursuant to adjournment.

On motion of Mr. Curtiss, the reading of the Journal was dispensed with.

On motion of Mr. Carlisle, the Senate took a recess until five minutes of eleven o'clock A. M.

FIVE MINUTES OF ELEVEN A. M.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House is now ready to meet the Senate in joint convention, in pursuance of S. J. R. No. 2—Mr. Forrest—to canvas the vote for State officers at the October election, 1877.

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Curtiss, the officers and members of the Senate repaired to the Hall of the House of Representatives and being seated therein a call of the Senate was ordered, and a quorum of the Senators was found to be present.

A call of the House was ordered by the Speaker, and a quorum of the members found to be present.

The President of the Senate, in the presence of the joint convention of the two Houses, then proceeded to open and announce the returns of votes cast at the election held in the State of Ohio on the second Tuesday of October 1877, for Governor, Lieutenant Governor, Attorney General, and Treasurer of State.

The canvass having been completed, the President of the Senate announced the result as follows:

For the office of Governor of the State of Ohio, Richard M. Bishop has 271,625 votes; William H. West has 249,105; Lewis H. Bond has 12,489 votes; Stephen Johnson has 16,912 votes; Henry A. Thompson has 4,836 votes; and there are scattering 93 votes.

Richard M. Bishop having received the highest number of votes for the office of Governor, was declared duly elected to that office for the constitutional term of two years, commencing on the second Monday of January, A. D. 1878.

For the office of Lieutenant Governor of the State of Ohio, Jabez W. Fitch has 268,606 votes; Ferdinand Vogeler has 241,437 votes; Frank Skarda has 12,571 votes; George K. Jenkins has 10,925 votes; Chris. Lewis has 16,925 votes; and there are scattering 443 votes.

Jabez W. Fitch having received the highest number of votes for the office of Lieutenant Governor, was declared duly elected to that office for the constitutional term commencing on the second Monday of January, 1878.

For the office of Attorney General of the State of Ohio, Isaiah Pillars has 269,506 votes; George K. Nash has 252,155 votes; David W. Gage has 4,640 votes; and George A. Duncan has 16,705 votes; and there are scattering 579 votes.

Isaiah Pillars having received the highest number of votes for the office of Attorney General, was declared duly elected to that office for the constitutional term of two years, commencing on the second Monday of January, 1878.

For the office of Treasurer of State of the State of Ohio, Anthony Howells has 270,461 votes; John M. Millikin has 250,746 votes; Lucius A. Hine has 12,618 votes; Arza Alderman has 4,623 votes; Joseph Jenkins has 16,985 votes; and there are scattering 241 votes.

Anthony Howells having received the highest number of votes for the office of Treasurer of State, was declared duly elected to that office for the constitutional term of two years, commencing on the second Monday of January, 1878.

On motion of Mr. Johnston, of the Senate, the joint convention adjourned.

The officers and members of the Senate then returned to the Senate Chamber, and were called to order by the President.

On motion of Mr. Stokes, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

THURSDAY, JANUARY 10, 1878—10 O'CLOCK A. M.

The Senate met pursuant to adjournment.

The Journals of Tuesday and Wednesday were read and approved.

Mr. Steedman arose to a question of privilege and had read at the Clerk's desk an article from the Cincinnati Gazette, of the 8th inst., assailing his private character, to which he replied, emphatically denying the charges therein contained.

Mr. Steedman moved that his remarks be placed upon the Journal.

On which motion, the yeas and nays were demanded, taken and resulted—yeas 22, nays 8, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Irvine, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Saltzgaber, Steedman, Tyler, Wagener and Williams—22.

Those who voted in the negative were—

Messrs. Howland, Johnston, Kelley, Richards, Sabine, Seitz, Sherrick and Wilson—8.

So the motion was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 16—Mr. Hitchcock—Providing for printing and distributing the Journal of the General Assembly, and the laws and public documents, and to repeal certain acts therein named.

H. B. No. 17—Mr. Perkins—To provide for the purchase of books for use in common schools.

H. B. No. 18—Mr. Booth—To facilitate the administration of justice in the Third Subdivision of the Fifth Judicial District.

H. B. No. 19—Mr. Leggett—To change the name of Cannonsburg, Carroll county, Ohio.

H. B. No. 20—Mr. Oglevee—To provide for the equalization of the valuation of bank shares for taxation, and to repeal an act entitled "An act to provide for the equalization of the value of bank shares for taxation, and to repeal an act therein named," passed and took effect April 12, 1877, (O. L. vol. 74, p. 88).

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 21—Mr. Reed of Ross—To amend section two of an act entitled "An act for the better security of head contractors and material men, and to repeal certain acts therein named, (O. L., vol. 72, p. 168).

H. B. No. 22—Mr. Dalzell—To provide further relief of ex-Union soldiers and their heirs.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 23—Mr. Wright—To assist Auditors in cities of the first-class in making collection of taxes on personal property.

H. B. No. 24—Mr. Wasson—To authorize the City Council of Gallipolis, Gallia county, Ohio, to purchase a steam fire-engine, and to issue bonds to pay for the same.

H. B. No. 25—Mr. Washburn—To provide for the appointment of a commission to examine claims growing out of the Morgan raid, and prescribing their duties, (vol. 61, p. 85, S. & S. 466).

H. B. No. 26—Mr. Washburn—To provide for the payment of claims for damages growing out of the military Expedition of General John H. Morgan through the State of Ohio in July, 1863.

H. B. No. 27—Mr. Bohl—To amend an act entitled "An act to incorporate the Beverly College at Beverly," passed February 28, 1843, (vol. 41, Local Laws, p. 92).

H. B. No. 28—Mr. Estell—To authorize the incorporated village of Millersburg to transfer unappropriated funds.

H. B. No. 29—Mr. Hart—To amend an act entitled "An act supplementary to the act to require mortgages and bills of sale of personal property to be deposited with the Township Clerk, (74 vol., 149).

Attest: L. A. BRUNNER, *Clerk.*

The following bills were read the second time and referred as follows:

S. B. No. 1—Mr. Richards—To amend an act entitled "An act to enroll the militia of Ohio, to organize a volunteer militia, and to repeal certain acts therein named," passed April 2, 1866, (Swan & Sayler, page 449).

To committee on Military Affairs.

S. B. No. 2—Mr. Saltzgaber—To amend an act entitled "An act to amend an act fixing the rate of interest," passed May 4, 1869, (Laws, vol. 66, pp. 91, 92).

To committee on Judiciary.

S. B. No. 3—Mr. Lord—Further to amend the act entitled "An act to authorize free banking," passed March 21, 1851, (49 Ohio Laws, 41) and the acts amendatory and supplementary thereto.

To committee on Banking and Finance.

S. B. No. 4—Mr. Jackson of Perry—To regulate the payment of indebtedness of mining companies and corporations to employes for work and labor.

To committee on Mines and Mining.

S. B. No. 5—Mr. Curtiss—To exempt cities of a certain grade from the provisions of acts therein named.

To committee on Municipal Corporations.

S. B. No. 6—Mr. Forrest—To prescribe the duties of County Commis-

sioners in counties containing cities of the first-class, having a population exceeding one hundred and eighty thousand.

Mr. Forrest moved that the bill be referred to a select committee of four.

Which was agreed to.

The President appointed Messrs. Forrest, Lord, Marsh and Armstrong as such select committee.

S. B. No. 7—Mr. Forrest—To authorize certain courts to appoint stenographers.

To committee on Judiciary.

Mr. Forrest introduced the following bill, pursuant to notice, which was read the first time:

S. B. No. 8—To fix and prescribe the duration of a day's labor in the State of Ohio.

Mr. Joy, on leave, introduced the following bill, which was read the first time:

S. B. No. 9—To authorize the Board of County Commissioners of Hancock county to levy a tax for the purpose of building a county jail.

Mr. Benson, on leave, offered the following resolution:

S. R. No. 14—*Resolved*, That the Sergeant-at-Arms of the Senate be instructed to furnish each officer and member of the Senate with three hundred labels for public documents.

Mr. Wagener moved to refer the resolution to the committee on Printing.

Which was agreed to.

Mr. Marsh, on leave, introduced the following bill, which was read the first time:

S. B. No. 10—To amend section 11, of chapter 8, to amend, revise and consolidate the statutes relating to crimes and offenses and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four, of the act to revise and consolidate the general statutes of Ohio, passed May 5, 1877, (vol. 74, L. of O., p. 268.)

Mr. Benson introduced the following bill pursuant to notice, which was read the first time:

S. B. No. 11—To establish the girls' industrial home, and to repeal certain acts therein named.

Mr. Tyler, on leave, introduced the following bill, which was read the first time:

S. B. No. 12—An act to amend section 1 of an act entitled "An act to secure the collection of delinquent taxes," passed and took effect March 31, 1877.

Mr. Saltzgaber introduced the following bill, pursuant to notice, which was read the first time:

S. B. No 13—To repeal an act entitled "An act supplementary to the act to require mortgages or bills of sale of personal property to be deposited with Township Clerks," passed and took effect April 30, 1877, (Ohio Laws, vol. 74, p. 149).

Mr. Steedman moved to reconsider the vote by which his remarks were ordered to be placed on the Journal.

Which motion was agreed to.

Mr. Steedman moved that said remarks be printed in the Appendix of the Journal.

Mr. Curtiss moved to lay said motion on the table.

Which was agreed to.

The President laid before the Senate the third report of the commission to revise and consolidate the statutes.

Pending the reading of which, on motion of Mr. Richards the Senate took a recess.

THREE O'CLOCK P. M.

When the Senate took a recess, it had under consideration the report of the commission to revise and consolidate the statutes.

On motion of Mr. Wilson, the report was referred to the Judiciary committee, when appointed.

Mr. Forrest offered the following resolution:

S. R. No. 15—*Resolved*, That Edward L. Jones, Sergeant-at-Arms of the last Senate, be allowed *per diem* for ten days' service during the present session, and that the President of the Senate certify in his favor for the same.

The question being on the adoption of the resolution, the yeas and nays were ordered, taken and resulted—yeas 30, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—30.

So the resolution was adopted.

The President announced the appointment of the following standing committees of the Senate:

JUDICIARY:

Messrs. Forrest, Jackson of Perry, Dungan, Saltzgaber, Wagener, Howland and Johnston.

FINANCE:

Messrs. Sherrick, Lord, Seitz, Dungan, Carson, Curtiss and Beer.

CLAIMS:

Messrs. Armstrong, Grove, Irvine, Parker, McDonald, Sabine and Beebe.

PUBLIC WORKS AND PUBLIC LANDS:

Messrs. Steedman, Lord, Saltzgaber, Jackson of Perry, Grove, Howland and Wilson.

MUNICIPAL CORPORATIONS:

Messrs. Marsh, Steedman, Jackson of Perry, Saltzgaber, Grove, Wilson and Richards.

ROADS AND HIGHWAYS:

Messrs. Carlisle, Benson, McDonald, Parker, Williams, Jackson of Clinton and Kelley.

RAILROADS, TELEGRAPHS AND TURNPIKES:

Messrs. Tyler, Lord, Fisher, Joy, Carson, Beer and Sabine.

COMMON SCHOOLS AND SCHOOL LANDS:

Messrs. Carson, Krimmel, Lord, Grove, Wagener, Richards and Beer.

UNIVERSITIES, COLLEGES AND ACADEMIES:

Messrs. Dungan, Stokes, Carlisle, Forrest, Irvine, Curtiss and Wilson.

MEDICAL SOCIETIES AND COLLEGES:
Messrs. Williams, Parker, Stokes, Curtiss and Beer.

MILITARY AFFAIRS:
Messrs. Jackson of Perry, Joy, Saltzgaber, Carson, Tyler, Johnston and Jackson of Clinton.

AGRICULTURE:
Messrs. Stokes, Benson, Carlisle, Williams, Carson, Sabine and Jackson of Clinton.

MANUFACTURES AND COMMERCE:
Messrs. Wagener, Armstrong, Tyler, Grove, Williams, Kelley and Beer.

CORPORATIONS OTHER THAN MUNICIPAL:
Messrs. Dungan, Jackson of Perry, Sherrick, Armstrong, Tyler, Richards and Johnston.

GEOLOGICAL SURVEY:
Messrs. Lord, Dungan, Sherrick, Stokes, Owens, Johnston and Kelley.

MINES AND MINING:
Messrs. Jackson of Perry, Krimmel, Dungan, Stokes, Johnston and Kelley.

SOLDIERS' AND SAILORS' ORPHANS' HOME AND SCHOOL FOR IMBECILE YOUTH:
Messrs. Armstrong, Williams, Stokes, Seitz, Krimmel, Tyler, Wilson and Jackson of Clinton.

CURRENCY:
Messrs. Forrest, Steedman, Carlisle, McDonald, Kelley and Beebe.

INSURANCE:
Messrs. Irvine, Forrest, Parker, Marsh, Saltzgaber, Wilson and Sabine.

BENEVOLENT INSTITUTIONS:
Messrs. Krimmel, Marsh, Tyler, Carlisle, Grove, Curtiss and Beebe.

REFORM SCHOOL AND INDUSTRIAL SCHOOL FOR GIRLS:
Messrs. Grove, Carlisle, Dungan Jackson of Perry, Seitz, Richards and Beer.

PENITENTIARY:
Messrs. Joy, Stokes, Tyler, Marsh Krimmel, Curtiss and Sabine.

LIBRARY:
Messrs. Parker, Owens, Curtiss and Johnston.

STATE BUILDINGS:
Messrs. Parker, Seitz, Armstrong, Stokes, Wilson and Kelley.

PUBLIC PRINTING:
Messrs. Fisher, Armstrong, Carson, Krimmel, Benson, Beebe and Kelley.

SALARIES AND FEES OF PUBLIC OFFICERS:
Messrs. Saltzgaber, Seitz, Marsh, Benson, Steedman, Sabine and Wilson.

FEDERAL RELATIONS:
Messrs. Steedman, Jackson of Perry, Carson, Fisher, Parker, Howland and Kelley.

UNFINISHED BUSINESS:
Messrs. Benson, Wagener, Irvine and Williams.

PRIVILEGES AND ELECTIONS:
Messrs. Lord, Jackson of Perry, Krimmel, Saltzgaber, Forrest, Johnston and Richards.

PUBLIC EXPENDITURES:
Messrs. Seitz, Saltzgaber, Fisher, Williams, Parker, Curtiss and Sabine.

SANITARY LAWS AND REGULATIONS:
Messrs. Williams, Stokes, Armstrong, Beebe and Wilson.

REVISION:
Messrs. Saltzgaber, Fisher, Carson and Wilson.

ENROLLMENT:
Messrs. Dungan, Krimmel, Richards and Johnston.

Mr. Sherrick submitted the following report from the joint select committee to make arrangements for the inauguration of the Governor-elect:

The joint committee on Inauguration made the following report:

1st. That the Judges of the Supreme Court, Judges of the Supreme Court Commission, members of the Codifying Commission, State officers, State officers-elect, Mayor and City Council, President and officers of the Board of Trade of the city of Columbus, the clergy and members of the press, the United States troops stationed at Columbus, the political clubs, citizens and all military and civic organizations that may be present in the Capital on that day, are hereby invited to attend the inauguration on Monday, January 14, 1878, at half-past two o'clock p. m.

2d. That such military organizations as may be present in the Capital on that day, be and are hereby invited to do escort duty on the occasion, and for that purpose meet the committee of arrangements at the American House, and escort the Governor, Governor-elect and Lieutenant-Governor-elect to the Governor's room in the State House.

3d. That General Charles W. Karr act as Chief Marshal.

4th. That the Judges of the Supreme Court and Commission, the Codifying Commission, members of the press, the Mayor and members of the City Council, the State officers, State officers-elect, except the Governor and Governor-elect, and the clergy, be and are hereby invited to meet with the General Assembly in the Senate Chamber at the hour of 2:30 p. m.

5th. That the inauguration ceremonies will take place either on the east terrace or in the rotunda of the Capitol, as the committee may direct, at the hour of 2:30 p. m. of said day, and persons assembled in the Senate Chamber will proceed to the place of inauguration in the following order: The Judges of the Supreme Court and Commission, the members of the Codifying Commission, members of the press, the Mayor and members of the City Council, the State officers and State officers-elect—except the Governor—the clergy, the President of the Senate, Speaker of the House of Representatives snd the General Assembly.

6th. The joint committee will accompany the Governor, Governor elect, Lieutenant-Governor-elect, Attorney-General, Attorney-General-elect, Treasurer, Treasurer-elect, Clerk of the Supreme Court, Clerk of the Supreme Court-elect, School Commissioner, School Commissioner-elect, the Board of Public Works and members elect, to the place of inauguration, where the following ceremony will take place: Music,

prayer, presentation of the Governor-elect by the Governor, inaugural address, oath of office administered by the Chief Justice of the Supreme Court, music.

7th. The joint committee will then escort the Governor to his room in the State House, and Senators and members of the House of Representatives will return to the Senate Chamber, where the oath of office will be administered to the Lieutenant-Governor by one of the Judges of the Supreme Court. The other executive officers will take the oath of office in the several rooms of the Capitol assigned to their respective departments.

E. B. PARKER,
H. J. BOOTH,
L. A. PALMER,
J. M. DALZELL,
House Committee.

JOHNSON SHERRICK,
D. JOY,
J. R. JOHNSTON,
Senate Committee.

On motion of Mr. Richards, the report of the joint committee was adopted.

Mr. Dungan, by leave, introduced the following bill, which was read the first time:

S. B. No. 14—To amend section 14 of an act entitled "An act for the relief of the poor, and to repeal certain acts therein named," passed April 12, 1876, (O. L., vol. 73, p. 223).

On motion of Mr. Joy, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

FRIDAY, JANUARY 11, 1878—10 o'clock A. M.

The Senate met pursuant to adjournment.

The journal was read and approved.

Mr. Saltzgaber offered the following resolution, which was adopted:

S. R. No. 16—*Resolved*, That when the Senate adjourns this day it shall be until Monday, January 14, 1878.

Mr. Krimmel offered the following resolution:

S. J. R. No. 4—*Be it resolved by the General Assembly of the State of Ohio*, That the Supervisor of Public Printing be and he is hereby directed to have printed and bound in brochure, in one volume, fifteen hundred copies of the joint rules—rules of the Senate and rules of the House—together with the standing committees of the respective Houses, and a list of the officers and members of each House, with their county, post office and occupation; and that three hundred copies be deposited with the Secretary of State for the use of the Sixty-Third General Assembly in 1879; that three hundred be deposited in the State Library for the use of the Sixty-Fourth General Assembly, and that the remainder be distributed equally among the members and officers of the two Houses at this session.

Resolved, That it shall be the duty of the Clerks of the Senate and

House to provide copy, together with an index, to be printed and bound with the same.

The question being on the adoption of the resolution, the yeas and nays were ordered, taken and resulted—yeas 26, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Curtiss, Dungan, Fisher, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Steedman, Stokes, Tyler. Wagener, Williams and Wilson—26.

Mr. Beer voted in the negative—1.

So the resolution was adopted.

Mr. Jackson, of Perry, offered the following resolution, which was adopted:

S. R. No. 17—*Resolved*, That the use of the Senate Chamber be tendered to Governor Bishop and the State officers on the evening after the inauguration, at 7 o'clock p. m., for the purpose of having a formal reception to friends and fellow-citizens generally; and that the Sergeant-at-Arms of the Senate see that the chamber is put in proper order.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 30—Mr. Covert—To amend an act entitled "An act to amend section 158 of an act of the jurisdiction and procedure before Justices of the Peace, and of the duties of Constables in civil courts," passed March 14, 1835, (Swan & Critchfield, 796); passed April 22, 1871, Vol. 68, Laws of Ohio.

H. B. No. 31—Mr. Wright—To amend an act entitled "An Act to amend section 302 of an act entitled an act to provide for the reorganization and government of municipal corporations," passed December 22, 1874.

H. B. No. 32—Mr. Oglevee—To amend section 436 of the Code of Civil Procedure, as passed March 11, 1853, took effect June 1, 1853, (51 vol., stat. 57,) as amended and took effect April 6, 1859, (56, p. 242); (S. & C., p. 1074).

Attest: L. A. BRUNNER, *Clerk.*

Mr. Fisher, from the Select Committee to report joint rules for the government of the two branches of the General Assembly, submitted the following report:

The Joint Committee of the two Houses, appointed in pursuance of H. J. R. No. 2, to prepare joint rules for the government of the two bodies, report the following:

[See Appendix.]

The report was signed by the following members of the Joint Committee:

J. C. FISHER,
J. B. WILLIAMS,
H. W. CURTISS,
Senate Committee.

E. B. PARKER,
HENRY HARDY,
JOHN C. CURTISS,
House Committee.

Mr. Richards moved that the report of the committee be adopted.

Which was agreed to.

Mr. Johnston, on leave, introduced the following bill, which was read the first time:

S. B. No. 15—Authorizing the formation of Partnership Associations, in which the capital subscribed shall alone be responsible for the debts of the Association, except under certain circumstances.

Mr. Krimmel offered the following resolution:

S. R. No. 18—*Resolved*, That James A. Lantz, Enrolling Clerk of the last Senate, be allowed per diem for five days' services during the present session, and that the President of the Senate certify in his favor for the same.

The question being on the adoption of the resolution, the yeas and nays were ordered, taken and resulted—yeas 29, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Wagener, Williams and Wilson—29.

So the resolution was adopted.

Mr. Forrest offered the following resolution:

S. R. No. 19—*Resolved*, That the President be and he is hereby requested to appoint Herman Evans one of the Messengers of this Senate.

The question being on the adoption of the resolution, the yeas and nays were ordered, taken, and resulted—yeas 23, nays 5, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Curtiss, Fisher, Forrest, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Lord, Marsh, Owens, Richards, Sabine, Saltzgaber, Steedman, Stokes, Tyler and Williams—23.

Those who voted in the negative were—

Messrs. Krimmel, McDonald, Seitz, Wagener and Wilson—5.

So the resolution was adopted, and thereupon the President made said appointment.

Mr. Jackson, of Perry, on leave introduced the following bill, which was read the first time:

S. B. No. 16—To amend section 313 of the code of civil procedure as amended May 3, 1877.

Mr. Seitz offered the following resolution, which was adopted:

S. R. No. 20—*Resolved*, That the Secretary of State be requested to report to the Senate the number of copies in his possession of the final Report of the Ohio State Board of Centennial Managers, and the Sergeant-at-Arms is hereby authorized and required to distribute to Senators such number of copies of said report as each shall be entitled to as a member of the General Assembly.

Mr. Forrest moved to reconsider the vote by which S. R. No. 15 was adopted.

Which was agreed to.

Mr. Forrest offered the following resolution as a substitute for S. R. No. 15.

Resolved, That Edward L. Jones, Sergeant-at-Arms of the last Senate, be allowed ten days' service for preparing the Hall and assisting the

newly elected officers, and that the President be instructed to draw his warrant for the same.

The question being on the adoption of the resolution, the yeas and nays were ordered, taken and resulted—yeas 28, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—28.

So the resolution was adopted.

The following message was received from the Governor:

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 11th day of January, 1878.

To the Senate:

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint Chauncy N. Newton, of Hamilton County, to be Commissioner of Railroads and Telegraphs for the term of two years.

Very respectfully, THOS. L. YOUNG, *Governor.*

Mr. Krimmel moved to refer the message to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Forrest moved to lay said motion on the table.

Which was agreed to.

The following message was received from the Governor:

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 8th day of January, 1878.

To the Senate:

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint Adolphus B. Frame, of Athens County, to be Trustee of the "Athens Hospital for the Insane" *vice* George W. Baker, resigned.

Very respectfully, THOS. L. YOUNG, *Governor.*

Mr. Benson moved to lay the message on the table.

Which was disagreed to.

Mr. Dungan moved to refer the message to the committee on Benevolent Institutions.

Which was agreed to.

The following message was received from the Governor:

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 9th day of January, 1878.

To the Senate:

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint Alfred Gaither, of Hamilton County, to be Trustee of the "Ohio Agricultural and Mechanical College" *vice* David Sinton, resigned.

Very respectfully, THOS. L. YOUNG, *Governor.*

Mr. Johnston moved that the message be referred to the committee on Universities, Colleges, &c.

Which was agreed to.

The following message was received from the Governor:

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 11th day of January, 1878.

To the Senate:

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint W. C. Cochran, of Belmont County, to be Inspector of Leaf Tobacco for the term of two years.

Very respectfully, THOS. L. YOUNG, *Governor.*

Mr. Marsh moved that the message be referred to the committee on Manufactures and Commerce.

Which was agreed to.

Mr. Forrest moved to take from the table Mr. Krimmel's motion to refer the message of the Governor appointing Mr. Newton as Railroad Commissioner, to the committee on Railroads and Telegraphs.

Which was agreed to.

The question then recurring on Mr. Krimmel's motion to refer said message to the committee on Railroads and Telegraphs, the same was agreed to.

Mr. Howland offered the following resolution, which was adopted:

S. R. No. 21—*Resolved*, That when the Senate adjourns on Friday, the 25th day of January, and every third Friday thereafter, that it shall be to meet at 3 o'clock p. m. on the following Tuesday.

On motion of Mr. Joy the Senate took a recess for ten minutes to enable Senators to extend greetings to Hon. Geo. H. Pendleton, who had appeared within the bar of the Senate.

At the expiration of ten minutes the President called the Senate to order.

The following messages were received from the Governor:

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 11th day of January, 1878.

To the Senate:

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint Alexander McDonald, of Hamilton County, to be Trustee of the "Ohio University" at Athens, *vice* Wm. Johnson, removed on account of non residence.

Very respectfully, THOS. L. YOUNG, *Governor.*

Which, on motion, was referred to the committee on Universities, Colleges, &c.

MESSAGE FROM THE GOVERNOR,

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 11th day of January, 1878.

To the Senate:

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint D. W. Belding, of Hamilton County, to be Director of Longview Asylum from June 1, 1877 until June, 1880.

Very respectfully, THOS. L. YOUNG, *Governor.*

Which, on motion, was referred to the committee on Benevolent Institutions.

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 11th day of January, 1878.

To the Senate:

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint M. T. Carey, of Hamilton County, to be Director of the Longview Asylum, at Cincinnati, for the unexpired term of Joshua H. Bates, resigned.

Very respectfully, THOS. L. YOUNG, *Governor.*

Which, on motion, was referred to the committee on Benevolent Institutions.

On motion of Mr. Joy, the Senate adjourned until Monday morning, January 14, 1878, at 10 o'clock.

Attest: ALLEN O. MYERS, *Clerk.*

MONDAY, JANUARY 14—10 o'clock A. M.

The Senate met pursuant to adjournment.
The Journal was read and approved.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time.

H. B. No. 33—Mr. Clough—To authorize the Commissioners of Butler County to borrow money on the bonds of the County.

H. B. No. 34—Mr. Clough—To authorize the Council of the incorporated village of Middletown, Ohio, to issue bonds for the purchase of grounds and the construction and completion of a town hall, engine hose house, and prison.

H. B. No. 35—Mr. Edwards—To amend an act entitled an act to amend section 1 of an act entitled "an act for the establishment, support, and regulation of Children's Homes in the several Counties, and Children's Homes district in this State, and to repeal certain acts therein named," passed and took effect March 22, 1876. (O. L., vol. 73, p. 74.)

H. B. No. 36—Mr. Creamer—To amend sections 5 and 6 of an act "To protect certain birds and game, and to protect land owners and punish trespassers upon improved or inclosed land, and to repeal certain statutes therein designated," passed April 24, 1874. (O. L., vol. 71, p. 147.)

H. B. No. 37—Mr. Wright—For an act to punish the offense of advertising for divorces.

H. B. No. 38—Mr. Levering—To amend section 1 of an act entitled an act supplementary to an act requiring mortgages or bills of sale of personal property to be deposited with Township Clerks, passed and took effect April 30, 1877. (O. L., vol. 74, p. 149.)

H. B. No. 39—Mr. Wasson—For the relief of the sureties of James Lipton, Treasurer of Walnut Township, Gallia County, Ohio.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 7—Mr. Foster—Relating to juries in certain Counties.

Attest: L. A. BRUNNER, *Clerk.*

The bill was read the first time.

The following message was received from the Governor:

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT.

COLUMBUS, 12TH DAY OF JANUARY, 1878.

To the General Assembly:

I have the honor to transmit herewith the first Annual Report of the

Commissioners of the Bureau of Labor Statistics, and respectfully request your attention thereto. There being but one copy of the same, it is sent to the House.

Very Respectfully, THOS. L. YOUNG, *Governor.*

The President laid before the Senate the papers and depositions pertaining to the contest for the office of State Senator for the 25th Senatorial District of Ohio, wherein George A. Baker is contestant, and Harvey W. Curtiss is the sitting member and contestee.

On motion of Mr. Richards said papers and depositions were referred to the Committee on Privileges and Elections.

Mr. Marsh offered the following resolution:

S. R. No. 22—*Resolved*, That there be added to the standing committees of the Senate a Committee on Fish Culture and Game.

The question being on the adoption of the resolution, the yeas and nays were ordered, taken, and resulted—yeas 22, nays, 4.

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Howland, Joy. Kelley, Krimmel, Marsh, Owens, Parker, Richards, Seitz, Sherrick, Steedman, Wagener, Williams—22.

So the resolution was adopted.

Mr. Krimmel offered the following resolution:

S. R. No. 23—*Resolved*, That Silas N. Field, First Assistant Sergeant-at-Arms of the last Senate, be allowed seven days' services, amounting to $35, for assisting the newly elected officers, and that the President be instructed to draw his warrant for the same.

The question being on the adoption of the resolution, the yeas and nays were ordered, taken, and resulted—yeas 22, nays 4.

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Howland, Joy, Kelley, Krimmel, Marsh, Owens, Parker, Richards, Seitz, Sherrick, Steedman, Wagener, Williams.

So the resolution was adopted.

Mr. Curtiss offered the following resolution:

S. R. No. 24 — *Resolved*, That the Sergeant-at-Arms of the Senate be hereby authorized to have a wardrobe or closet constructed, of sufficient size to contain all of the overcoats and hats of the members and employes of the Senate, and to be provided also with checks—said wardrobe or closet to be under the charge of one of the employes.

Which, on motion of Mr. Curtiss, was referred to the Committee on Public Buildings.

The following bills were read the second time:

S. B. No. 8—Mr. Forrest—To fix and prescribe the duration of a day's labor in the State of Ohio.

Referred to Committee on Agriculture.

S. B. No. 9—Mr. Joy—To authorize the Board of County Commissioners of Hancock County to levy a tax for the purpose of building a county jail.

Referred to Committee on Public Expenditures.

S. B. No. 10—Mr. Marsh — To amend section 11, of chapter 8, to amend, revise, and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, known as title 1, crimes and offenses, part four of the act to revise and consolidate the General Statutes of Ohio passed May 5, 1877, (vol. 74, O. L., p. 268.)

Referred to Committee on Municipal Corporations.

S. B. No. 11—Mr. Benson—To establish the Girls' Industrial Home, and to repeal certain acts therein named.

Referred to Committee on Reform School and Industrial School for Girls.

S. B. No. 12—Mr. Tyler—To amend section 1 of an act entitled an act to secure the collection of delinquent taxes, passed and took effect March 31, 1877.

Referred to Committee on Public Expenditures.

S. B. No. 13—Mr. Saltzgaber — To repeal an act entitled an act supplementary to the act to require mortgages or bills of sale of personal property to be deposited with Township Clerks, passed and took effect April 30, 1877, (O. L. vol. 74, p. 149.)

Referred to Committee on Judiciary.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the adoption of the following resolution:

S. J. R. No. 4—Mr. Krimmel—Instructing the Supervisor of Public Printing to print copies of the joint rules and rules of both Houses.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Richards gave notice that on to-morrow, or some subsequent day of the session, he would introduce a bill to amend an act entitled an act authorizing the County Commissioners to offer reward for the detection of horse thieves.

Mr. Beer, on leave, introduced the following bill, which was read the first time:

S. B. No. 17—To authorize the incorporated village of Ashland, Ashland County, Ohio, to borrow money for the purchase of a steam fire engine.

Mr. Seitz moved to reconsider the vote by which S. R. No. 20 was adopted.

Which was agreed to.

Mr. Seitz moved to amend said resolution by substituting the following therefor:

Resolved, That the State Librarian be requested to inform the Senate what number of copies are in his possession of the Final Report of the Ohio State Board of Centennial Managers.

Which was agreed to.

The resolution as amended was then agreed to.

On motion of Mr. Seitz, the Senate took a recess until half-past 1 o'clock p. m.

HALF PAST ONE O'CLOCK P. M.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The members and officers of the House of Representatives are in readiness to meet the members and officers of the Senate to attend the inauguration ceremonies of R. M. Bishop, Governor elect.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Curtiss moved that a message be sent to the House of Representatives informing the members and officers thereof that the Senate is now ready to receive them in the Senate Chamber, preparatory to attending the ceremonies of the inauguration of Hon. R. M. Bishop, Governor elect.

Which was agreed to.

On motion of Mr. Forrest, the Senate took a recess until 4 o'clock P. M.

FOUR O'CLOCK P. M.

The President called the Senate to order.

Mr. Forrest announced the presence of Hon. Jabez W. Fitch, Lieutenant Governor elect, and moved that a committee of three be appointed to escort him to the chair.

Which was agreed to.

The President appointed Messrs. Forrest, Richards and Carlisle as such committee.

The committee presented Hon. Jabez W. Fitch, the Lieutenant Governor elect, who, having taken an oath to support the Constitution of the United States, and the Constitution of the State of Ohio, and also an oath of office (administered by Hon. William White, one of the Justices of the Supreme Court), addressed the Senate, and entered upon the discharge of his duties as President of the Senate.

On motion of Mr. Owens, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

TUESDAY, JANUARY, 15, 1878—10 O'CLOCK A. M

The Senate met pursuant to adjournment.

Prayer by Rev. I. F. King.

The Journal was read and approved.

The following message was received from the Governor:

MESSAGE FROM THE GOVERNOR.

STATE OF OHIO, EXECUTIVE DEPARTMENT.

COLUMBUS, January 14th, A. D. 1878.

To the General Assembly:

I have the honor to inform you that I have this day made the following appointments on my personal staff:

Bobert F. Hurlbutt, to be Private Secretary.

Albert Allen, to be Executive Clerk.

Very Respectfully,

RICHARD M. BISHOP, *Governor.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 40—Mr. Dalzell—To repeal section 31 of an act entitled "An act to amend, and supplementary to an act entitled an act to provide for the reorganization, supervision and maintenance of common schools," passed March 14, 1852, and the act amendatory thereto; also, supplementary to an act for the support and better regulation of common schools, in the town of Akron, passed February 8, 1849; and the act amendatory thereto, (S. & C. 1348, Swan's Revised Statutes, 836; S. & C., 1368; Swan's Revised Statutes, 854; S. & C., 1373; Swan's Revised Statutes, 858; S. & C., 705.)

H. B. No. 41—Mr. Booth—To amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one, of the act to revise and consolidate the general statutes of Ohio.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. — —To amend section 1 and 2 of an act entitled "An act to provide for the enlargement and maintenance of the school library in cities of the first and second class.

H. B. No. 43—Mr. Sullivan of Hamilton—For the relief of William Huff.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Stokes presented the preamble and resolutions of the Swine Breeder's Association, with reference to the disease known as hog cholera.

Which was referred to the committee on Agriculture.

The following bill was read the second time and referred:

S. B. No. 14—Mr. Dungan—To amend section 14 of an act for the relief of the poor, and to repeal certain acts therein named, passed April 12. 1876, (O. L., vol. 73, p. 223).

To committee on Judiciary.

The following communication was received from the State Library, in reply to S. R. No. 20:

OHIO STATE LIBRARY.

COLUMBUS, January 14, 1878.

To the Senate of Ohio:

In answer to Senate Resolution No. 20, the State Library has in its possession 2,000 copies of the Final Report of the Ohio State Board of Centennial Managers, subject to the order of the present General Assembly.

Very Respectfully,

R. M. STINSON, *Librarian.*

Which was referred to the committee on Library.

Leave of absence was asked for and granted to Mr. Johnston until Friday, and also to Mr. Wilson, for the balance of the week.

Mr. Krimmel, on leave, introduced the following bill, which was read the first time.

S. B. No. 18—To organize the reform school for boys.

Mr. Owens, on leave, introduced the following bill, which was read the first time.

S. B. No. 19—To amend an act entitled "An act to amend the 28th section of the act entitled an act of the jurisdiction and procedure before Justices of the Peace, and of the duties of Constables in civil cases," (S. & C., 776, and S. & S., 420).

Mr. Owens, on leave, introduced the following bill, which was read the first time:

S. B. No. 20—To prevent the practice of resorting to distant courts to oppress the citizens of Ohio, and deprive them of their rights under the statutes of Ohio.

Mr. Richards introduced the following resolution:

S. R. No. 25—*Resolved*, That the Clerks and Sergeant-at-Arms of the Senate be allowed the same mileage as members receive, as has been customary, and the President is hereby authorized to draw his warrant for the same.

The question being on the adoption of the resolution, the yeas and nays were ordered, taken and resulted—yeas 18, nays 8, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Curtiss, Fisher, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Owens, Richards, Sabine, Sherrick and Tyler—18.

Those who voted in the negative were—

Messrs. Beer, Carlisle, Forrest, Howland, Parker, Saltzgaber, Seitz and Steedman—8

So the resolution was adopted.

Mr. Fisher moved that the vote by which S. R. No. 25 was adopted, be reconsidered.

Which was agreed to.

On motion of Mr. Fisher, said resolution was referred to the committee on Claims.

The Clerk laid before the Senate the following communication, which, on motion, was referred to the committee on Printing:

COLUMBUS, January 15, 1878.

Mr. President and Members of the Senate:

GENTLEMEN—I would most respectfully call your attention to the fact that the State Printer has again failed to discharge his duties as prescribed by law, as to the matter of printing bills, etc. If this is continued, the business of the Senate will be greatly delayed. The attention of the Senate is called to this subject, that it may take such action as may be deemed best.

Very Respectfully,

ALLEN O. MYERS, *Clerk*

Mr. Forrest moved that the Senate proceed to the election of a Senator in the Congress of the United States, to succeed Stanley Matthews, whose term of office will expire on the 4th day of March, 1879.

Which was agreed to.

On demand of Mr. Owens, a call of the Senate was had, and the following Senators answered to their names:

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler and Williams—32.

On motion of Mr. Owens, all further proceedings under the call were dispensed with.

Mr. McDonald nominated George H. Pendleton as a candidate for said office.

The Senate proceeded openly, by a *viva voce* vote of each member present, to name a person for Senator, for the State of Ohio in the Congress of the United States, for the constitutional term of six years, commencing on the 4th day of March, A. D. 1879.

The whole number of votes was 31, of which George H. Pendleton received 24 votes, and Blank received 7 votes.

Those who voted for said George H. Pendleton were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler and Williams—24.

Those who voted blank were—

Messrs. Beer, Curtiss, Howland, Jackson of Clinton, Kelley, Richards and Sabine—7.

George H. Pendleton, having received a constitutional majority of all votes cast, was declared the choice of the Senate for the office of United States Senator, for the constitutional term of six years, commencing on the 4th day of March, 1879.

The following message was received from the Governor:

MESSAGE FROM THE GOVERNOR.

STATE OF OHIO, EXECUTIVE DEPARTMENT.

COLUMBUS, January 15, 1878.

To the Senate:

The name of Chauncey N. Newton, of Hamilton county, presented to your honorable body on the 11th of January, for confirmation as Commissioner of Railroads and Telegraphs, for the term of two years, is hereby withdrawn.

Yours Very Respectfully,

RICHARD M. BISHOP, *Governor.*

The following message was received from the Governor:

MESSAGE FROM THE GOVERNOR.

STATE OF OHIO EXECUTIVE DEPARTMENT.

COLUMBUS, 15TH DAY OF January, 1878.

To the Senate:

I have the honor to nominate, and by and with the advice and con-

sent of the Senate appoint William Bell, Jr., of Franklin county, to be Commissioner of Railroads and Telegraphs, for the term of two years.

Very Respectfully,

RICHARD M. BISHOP, *Governor.*

On motion of Mr. Krimmel, said message was referred to the committee on Railroads and Telegraphs.

Mr. Wagener asked leave to have his vote recorded for United States Senator.

Which was granted.

His name being called by the Clerk, he cast his vote for George H. Pendleton, for said office.

Mr. Beebe asked leave to have his vote recorded for United States Senator.

Which was granted.

On his name being called by the Clerk, he cast his vote for Blank for said office.

Mr. Steedman offered the following resolution:

S. J. R. No. 5—*Be it Resolved by the General Assembly of the State of Ohio*, That there be printed two thousand additional copies of the report of the Adjutant-General for the year 1877; 1,200 copies for the use of the Adjutant-General, and 400 for the use of the General Assembly, and 400 to be deposited in the State Library.

The question being on the adoption of the resolution, the yeas and nays were ordered, taken and resulted—yeas 33, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—33.

So the resolution was adopted.

Mr. Sherrick offered the following resolution.

S. R. No. 26—*Resolved*, That the pages of the Senate be each allowed a per diem salary of two dollars and fifty cents per day during the present session, and that the President of the Senate be authorized and required to certify the same to said pages.

Which, on motion of Mr. Sherrick, was referred to the committee on Fees and Salaries.

Mr. Lord asked and obtained leave for the committee on Privileges and Elections to sit during the session of the Senate on the contested election case of Baker vs. Curtiss.)

The following message was received from the Governor:

MESSAGE FROM THE GOVERNOR.

STATE OF OHIO, EXECUTIVE DEPARTMENT.

COLUMBUS, January 14, A. D. 1878.

To the General Assembly:

I have the honor to inform you that I have this day made the following appointments on my Military Staff.

To be Adjutant-General, Luther M. Meilly.
To be Assistant Adjutant-General, Leander R. Hoagland.
To be Judge Advocate-General, Samuel F. Hunt.
To be Quartermaster-General Charles L. Young.
To be Surgeon-General, I. Emmit Burns.
To be Chief of Engineers, Frederick Geiger.
To be Aides-de-Camp with rank of Colonel, William A. Birchard, Carson Lake, Richard Nevins, Jr., Griffin H. Eidson, Evan F. Williams, Louis F. Schmidt, Ralph K. Paige, James M. Williams, Thomas R. Robert and M. L. Hall.

Yours Respectfully,

RICHARD M. BISHOP, *Governor.*

Which was referred to the committee on Military Affairs.
On motion of Mr. Krimmel, the Senate took a recess.

THREE O'CLOCK P. M.

Mr. Owens offered the following resolution:
S. J. R. No. 6—*Be it resolved by the General Assembly of the State of Ohio*, That the members of the two Houses of this General Assembly convene in joint Assembly in the hall of the House of Representatives on Wednesday, January 16, 1878, at 12 o'clock M, for the purpose of such action as may be necessary, relative to the election of a United States Senator.
The question being on the adoption of the resolution, the yeas and nays were demanded, taken and resulted—yeas 21, nays none, as follows:
Those who voted in the affirmative were—
Messrs. Armstrong, Beebe, Beer, Benson, Carson, Dungan, Fisher, Grove, Howland, Irvine, Kelley, Marsh, McDonald, Owens, Parker, Sabine, Seitz, Steedman, Stokes, Wagener and Williams—21.
So the resolution was adopted.
Bills were read the second time and referred as follows:
S. B. No. 15—Mr. Johnston—Authorizing the formation of partnership associations in which the capital subscribed shall alone be responsible for the debts of the association, except under certain circumstances.
To committee on Corporations other than municipal.
S. B. No. 16—Mr. Jackson of Perry—To amend section 313 of the code of civil procedure, as amended May 3, 1877.
To committee on Judiciary.
S. B. No. 17—Mr. Beer—To authorize the incorporated village of Ashland, Ashland county, Ohio, to borrow money for the purchase of a steam fire engine.
To committee on Municipal Corporations.
Mr. Howland offered the following resolution.
S. R. No. 27—*Resolved* That all the testimony in the contested election case of Baker vs. Curtiss, be and the same is hereby ordered to be printed and laid upon the desk of each member.
The question being on the adoption of the resolution, the yeas and nays were ordered, taken and resulted—yeas 31, nays none, as follows:
Those who voted in the affirmative were—
Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson

of Perry, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—31.

So the resolution was adopted.

Mr. Owens offered the following resolution:

S. R. No. 8—*Resolved*, That the President of the Senate be and he is hereby authorized to draw his warrant on the Treasurer for the sum of fifty dollars in favor of J. C. Donaldson, ex-Clerk, for services rendered in preparing the necessary books, blanks, etc., for the use of the present Senate.

On motion of Mr. Sherrick, the resolution was referred to the committee on Claims.

On motion of Mr. Sherrick, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk*.

WEDNESDAY, JANUARY 16, 1878—10 O'CLOCK A. M.

The Senate met pursuant to adjournment.

Prayer by Rev. I. F. King.

The Journal was read and approved.

Mr. Jackson of Perry presented the petition of William Park and 856 other citizens of Meigs county, for the better protection of the laboring classes in their work and wages, and the payment therefor.

Which was referred to the committee on Mines and Mining.

Mr. Fisher presented the petition of the Infirmary Directors of Coshocton county and 180 other citizens of said county, praying for the enactment of a law authorizing the Commissioners of Coshocton county to sell the infirmary farm of said county, and purchase another tract of land for infirmary purposes and erect suitable buildings thereon.

Which was referred to the Committee on Benevolent Institutions.

Bills were read the second time and referred as follows:

H. B. No. 7—Mr. Foster—Relating to juries in certain counties.

To committee on Judiciary.

S. B. No. 18—Mr. Krimmel—To organize the Reform School for Boys.

To committee on Reform Schools.

S. B. No. 19—Mr. Owens—To amend an act entitled an act to amend the twenty-eighth section of the act entitled an act of the jurisdiction and procedure before justices of the peace, and of the duties of constables in civil cases. (Swan & Critchfield, 776, and Swan & Sayler, 420.)

Referred to committee on Judiciary.

S. B. No. 20—Mr. Owens—To prevent resorting to distant courts to oppress the citizens of Ohio, and deprive them of their rights under the statutes of Ohio.

To committee on Judiciary.

Mr. Richards, pursuant to notice, introduced the following bill, which was read the first time:

S. B. No. 21—To amend an act entitled an act to authorize the county commissioners to offer reward for the detection of horse thieves.

Mr. Saltzgaber, on leave, introduced the following bill, which was read the first time:

S. B. No. 22—To fix the compensation of the Attorney General.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred S. B. No. 17—Mr. Beer—To authorize the incorporated village of Ashland, Ashland county, Ohio, to borrow money for the purchase of a steam fire engine, having had the same under consideration, report it back with the recommendation that it be passed.

THEO. MARSH, G. M. SALTZGABER,
JAMES B. STEEDMAN, G. A. GROVE,
LYMAN J. JACKSON, R. G. RICHARDS.

On motion of Mr. Marsh, the bill was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 28, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—28.

Mr. Seitz voted in the negative—1.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House concurs in the adoption of the following resolution:

S. J. R. No. 6—Mr. Owens—Providing for a joint convention of the two Houses relative to the election of a United States Senator.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested:

H. J. R. No. 12—Mr. Alexander—Providing for the holding of a joint convention on Wednesday, January 16, at 12 M., for the purpose of electing a United States Senator.

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Krimmel. the resolution was laid upon the table.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 44—Mr. Sextro—To provide for the reorganization, government and better regulation of Longview Asylum, and to repeal certain acts therein named.

H. B. No. 45—Mr. Cowgill—To authorize the council of the city of Urbana, Ohio, to make a contract with the Urbana Water Works for a

supply of water for fire and other purposes, for a period not exceeding ten years, and to levy taxes to pay the water rents to become due by terms of said contract.

H. B. No. 46—Mr. Achauer—Supplementary to an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873, (O. L., vol. 70, page 195).

H. B. No. 47—Mr. Stubbs—To amend section ninety-two (92) of an act entitled an act of the jurisdiction and procedure before justices of the peace, passed March 14, 1853

H. B. No. 48—Mr. Herrick—To amend section 13 of an act entitled an act relating to roads and highways, passed March 9, 1868.

H. B. No. 49—Mr. Ellis—To authorize the village of Port Clinton, Ohio, to transfer funds.

H. B. No. 50—Mr. Kellogg—To amend section 27 of an act entitled an act for the reorganization and maintenance of common schools, passed March 6, 1874, (vol. 71 O. L., p. 18).

H. B. No. 51—Mr. Clough—To authorize the Board of Education of Union township, Butler county, Ohio, to issue bonds to build a school house in sub-district No. 7.

H. B. No. 52—Mr. Clough—To provide for a supply of water for fire and other purposes in certain cities of the second class.

H. B. No. 53—Mr. Reed of Ross—To amend section one of an act passed March 27, 1875, (O. L., vol. 72, page 85,) entitled an act to amend section 1 of an act entitled an act to fix the rates of toll on turnpike and plank-road companies, passed March 16, 1875, (S. & S., p. 147).

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 54—Mr. Edwards—To authorize and empower the Board of Education of Green township, Trumbull county, Ohio, to join with the Trustees of said township in the building of a school house and town hall.

H. B. No. 55—Mr. Wright—To amend section 40 of an act entitled an act for the assessment and taxation of property in this State, and for levying taxes thereon according to its true value in money, as amended May 8, 1868.

H. B. No. 56—Mr. Sullivan of Hamilton—To regulate the organization of co-operative associations for the purpose of carrying on any mechanical, mining, manufacturing or traveling business in the State of Ohio.

H. B. No. 57—Mr. Smith—To amend section 31 of an act entitled an act to provide for the reorganization, supervision and maintenance of common schools, passed March 14, 1853, and amended March 14, 1864; not having been repealed by the act of May 1, 1873, its provisions remain in force.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Tyler submitted the following report:

The standing committee on Railroads, Telegraphs and Turnpikes, to whom was referred Governor Bishop's nomination of William Bell, to be

Railroad Commissioner, having had the same under consideration, report it back, and recommend its confirmation.

GEO. P. TYLER, J. C. FISHER,
H. C. LORD, T. M. BEER,
D. JOY, J. M. CARSON.

The report of the committee was adopted.

The question being "Shall the Senate advise and consent to said appointment?" the yeas and nays were taken, and resulted—yeas 29, nays 3, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forest, Grove, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—29.

Those who voted in the negative were—

Messrs. Howland, Jackson of Clinton and Kelley—3.

So the Senate advised and consented to said appointment.

Mr. Seitz submitted the following report:

The standing committee on Salaries and Fees of Public Officers, to whom was referred S. R. No. 26—Relating to the Pages of the Senate, having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

Strike out in line 3 the words "and fifty cents," and in line 2 strike out the words "per diem."

JOHN SEITZ, THEO. MARSH,
G. M. SALTZGABER, JOHN H. BENSON.

Mr. Forrest moved that said report be laid on the table.

Which was disagreed to.

The question being on the adoption of the report, the yeas and nays were demanded, taken, and resulted—yeas 11, nays 19, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Grove, Jackson of Clinton, Lord, Marsh, Saltzgaber and Seitz—11.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Fisher, Forrest, Howland, Jackson of Perry, Joy, Kelley, McDonald, Owens, Parker, Richards, Sabine, Sherrick, Steedman, Stokes, Tyler and Wagener—19.

So the report of the committee was disagreed to.

The question recurring on the adoption of the resolution (S. R. No. 26), the yeas and nays were ordered, taken, and resulted—yeas 27, nays 4, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Lord, McDonald, Owens, Parker, Richards, Sabine, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—27.

Those who voted in the negative were—

Messrs. Grove, Marsh, Saltzgaber and Seitz—4.

So the resolution was adopted.

Mr. Richards offered the following resolution:

S. R. No. 29—WHEREAS, In many counties of the State the fees allowed to some of the county officers greatly exceed in amount the com-

pensation paid for like services, and for equal responsibilities in ordinary business; and,

WHEREAS, The tax-payers of the State are asking that a reduction be made in the fees of county officers, so that they shall receive no more than is just for services rendered:

Resolved, That the standing committee on Salaries and Fees of Public Officers be and they are hereby instructed to inquire into the best method of regulating the fees of county officers, so that a just remuneration as between the tax-payer and the officer may be allowed by law.

Which, on motion, was referred to the committee on Fees and Salaries.

Mr. Benson offered the following resolution, which was adopted.

S. R. No. 30—*Resolved*, That the officers of the Senate are hereby required to furnish an inventory of the furniture purchased for their use and the use of the Senate, during the present session, to the Superintendent of the State buildings, in order that he may have proper knowledge of property in the Senate Chamber belonging to the State.

Mr. Carlisle offered the following resolution:

S. J. R. No. 7—*Be it resolved by the General Assembly of the State of Ohio*, That the Secretary of State be authorized and required by law, under and in accordance with a law passed March 24, 1860, to provide for the execution and supervision of the State printing and binding, under the joint supervision of Supervisor of State Printing and the Secretary of the State Board of Agriculture, to have printed and bound twenty thousand copies of the report of the State Board of Agriculture for the year 1877, and twenty thousand copies of the report for the year 1878, of which ten per cent. shall be printed in German, and the size of the type and mechanical execution to conform to the report of said Board for the year 1876; three thousand copies of the report of 1877, and three thousand copies of the report of 1878, to be subject to the order of the State Board of Agriculture; for exchange and foreign distribution, seventeen thousand copies of the report of each of said years 1877 and 1878. The Secretary of State shall apportion among the present members of the General Assembly the number of German copies for each member, to be determined by list to be furnished the said Secretary of State by the committee on Agriculture in each House, on which list shall be stated the names of members desiring German copies, and the number desired by each; said reports shall be boxed up and directed to the care of the County Auditor in the counties in which they respectively reside, and it shall be the duty of said County Auditor to notify the respective members within ten days after the receipt of said reports, and if not removed by the person to whom directed, or on his written order, within thirty days, then the reports are to be delivered by the Auditor to the Secretary of the County Agricultural Society for distribution. The charge for the transportation of the said reports, as well as all the charges for boxes, shall be paid for in the same manner as is or may be provided by law for the distribution of the laws and journals.

Mr. Seitz moved that the resolution be referred to the committee on Public Printing.

Which was agreed to.

Mr. Howland offered the following resolution:

S. J. R. No. 8—*Be it resolved by the General Assembly of the State of Ohio*, That the committee on State Buildings of the Senate and the committee on Public Buildings of the House be and they are hereby required, with-

out delay, to lay out and give all necessary directions for opening and constructing a direct passage between the two Houses, and to fit up the room now vacant between said Houses for a committee room for the Senate; and that the Adjutant General be and he is hereby ordered and directed to cause said room to be fitted up, and said passage constructed, in such manner as said committees may direct.

Which, on motion, was referred to the committee on Public Buildings.

Mr. Lord, on leave, introduced the following bill, which was read the first time.

S. B. No. 23—Further to amend an act entitled an act for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852, (50 vol. Stat., 274).

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The members of the House of Representatives are now ready to meet the members of the Senate, in conformity with S. J. R. No. 6, to elect a United States Senator.

Attest: L. A. BRUNNER, *Clerk.*

The President announced to the Senate that the time had arrived for the members of the two Houses of the General Assembly of Ohio to convene in Joint Assembly, in pursuance of an act of Congress, approved July 25, 1866, to elect a Senator to represent the State of Ohio in the Congress of the United States for the term of six years, beginning on the 4th day of March, A. D. 1879.

The officers and members of the Senate then proceeded to the Hall of the House of Representatives.

The House of Representatives being in session, and the members of the Senate being seated in said Hall, the roll of the Senate was called by the Clerk of the Senate, and thirty-two Senators answered to the call. Messrs. Johnston, Richards and Wilson were absent.

The roll of the House of Representatives was called by the Clerk of the House, and one hundred and five members answered to the call. Four members were absent.

So much of the Journal of the Senate of yesterday as records the action of the Senate in pursuance of said act of Congress was then read by the Clerk of the Senate.

So much of the Journal of the House of Representatives of yesterday as records the action of the House in pursuance of said act of Congress was then read by the Clerk of the House.

It appearing from said Journals that Hon. George H. Pendleton had received a majority of all the votes of the Joint Assembly—139 members (a majority of all the members elected to both Houses of said General Assembly) being present and voting—was declared by the President of the Senate elected to the office of Senator in Congress, for the constitutional term of six years, beginning on the 4th day of March, A. D. 1879.

On motion of Mr. Fisher of the Senate, the Joint Assembly dissolved.

The officers and members of the Senate then returned to the Senate Chamber.

On motion of Mr. Carson, the Senate took a recess.

THREE O'CLOCK P. M.

Mr. Richards, on leave, introduced the following bill, which was read the first time:

S. B. No. 24—To give priority in the trial of all claims for the wages of manual labor in the courts of this State.

Mr. Sherrick offered the following resolution:

S. R. No. 31—*Resolved*, That the porters of this Senate be allowed a per diem of three dollars per day during the present session.

Which, on motion, was referred to the standing committee on Fees and Salaries.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 58—Mr. Washburn—To authorize the Town Council of the incorporated village of Waverly, Ohio, to borrow money and levy a tax.

H. B. No. 59—Mr. Parker—To repeal an act passed January 26, 1877, (O. L., vol. —, pp. 387 and 388).

H. B. No. 60—Mr. Guthery—Relating to ditches, and to repeal certain acts therein named.

H. B. No. 61—Mr. Sextro—Supplementary to an act entitled "An act entitled an act supplementary to an act entitled an act supplementary to an act to provide for the organization and government of municipal corporations," passed July 10, 1870, passed May 5, 1877, (O. L., vol. 74, p. 185).

H. B. No. 62—Mr. McCoy, of Lawrence—To fix the compensation of the members of the General Assembly, and to repeal section one of an act passed April 2, 1866.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 63—Mr. Hitchcock—For the relief of Newton Austin, Treasurer of Montville township, Geauga county, Ohio.

H. B. No. 64—Mr. Brown of Hamilton—To authorize the formation of companies for dealing in real estate, etc.

H. B. No. 65—Mr. Jessup—To amend an act entitled "An act for the relief of the poor, and to repeal certain acts therein named," passed April 12, 1876, (Laws of Ohio, vol. 73, p. 236).

H. B. No. 66—Mr. Bloom—To authorize the transfer of funds in certain cases.

H. B. No. 67—Mr. Boyce—To reduce fees and salaries of county officers.

H. B. No. 68—Mr. Townsend—To amend section two of an act entitled "An act to amend sections 313 and 344 of the code of civil procedure," passed April 3, 1861.

Attest: L. A. BRUNNER, *Clerk.*

The following messages were received from the Governor:

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 16th day of January, 1878.

To the Senate:

The name of W. C. Cochran, of Belmont county, presented to your honorable body for confirmation as Inspector of Leaf Tobacco, for the term of two years, on the 11th day of January, 1878, is hereby withdrawn.

Yours respectfully,

RICHARD BISHOP, *Governor.*

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 16th day of January, 1878.

To the Senate:

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint William C. Watson, of Belmont county, to be Inspector of Leaf Tobacco, for the term of two years.

Very respectfully,

RICHARD M. BISHOP, *Governor.*

Mr. Saltzgaber moved that said message be referred to the committee on Manufactures and Commerce.

Which was agreed to.

On motion of Mr. Curtiss, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

THURSDAY, JANUARY 17, 1878—10 o'clock A. M.

The Senate met pursuant to adjournment.

Prayer by Rev. I. F. King.

The journal was read and approved.

Mr. Sherrick presented the petition of W. P. Shotwell and three hundred other citizens of Stark County, asking for a law to protect laborers of this State from having their wages garnisheed in other States, which was referred to the committee on Judiciary.

The following bills were read the second time:

S. B. No. 21—Mr. Richards—To amend an act entitled "An act to authorize the County Commissioners to offer a reward for the detection of horse thieves.

Referred to Judiciary Committee.

S. B. No. 22—Mr. Saltzgaber—To fix the compensation of the Attorney-General.

Referred to committee on Fees and Salaries of Public Officers.

S. B. No. 23—Mr. Lord—Further to amend an act entitled "An Act for the creation and regulation of incorporated companies in the State of Ohio," passed May 1, 1852, (50 volume, statutes 274).

Referred to committee on Railroads, Telegraphs and Turnpikes.

S. B. No 24—Mr. Richards—To give priority in the trial of all claims for the wages of manual labor in the courts of this State.

Referred to committee on Judiciary.

Mr. Johnston asked and obtained leave of absence for Mr. Curtiss till Tuesday next.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred the Third Report of the Commission to revise and consolidate the Statutes, having had the same under consideration, report it back and recommend that the same be filed, and that the committee be relieved from further consideration of the subject.

W. T. Forrest, G. M. Staltzgaber,
Irvine Dungan, Lyman J. Jackson,
W. P. Howland.

Which report was adopted.

Mr. Armstrong submitted the following report:

The standing committee on Claims, to whom was referred Senate Resolution No. 25—Mr. Richards—Allowing the officers of the Senate the same mileage as members, as has been customary, having had the same under consideration, report it back and recommend its adoption.

J. M. Armstrong, J. B. Williams,
John C. McDonald, G. A. Grove,
H. S. Sabine, D. D. Beebe,
C. S. Parker.

The report of the committee was agreed to.

The question being on the adoption of the resolution, the yeas and nays were ordered, taken and resulted—Yeas 27, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Sherrick, Stokes, Tyler, Wagener and Williams—27.

Mr. Seitz voted in the negative—1.

So the resolution was adopted.

Mr. Armstrong submitted the following report:

The standing committee on Claims, to whom was referred Senate Resolution No. 28—Mr. Owens—To draw an order on the Treasurer in favor of J. C. Donaldson, ex-Clerk, for services rendered, having had the same under consideration, report it back and recommend its adoption.

J. M. Armstrong, G. A. Grove,
J. B. Williams, John C. McDonald,
H. Sabine, D. D. Beebe,
C. S. Parker.

The report of the committee was agreed to.

The question being on the adoption of the resolution, the yeas and

nays were demanded, taken and resulted—yeas 31, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener and Williams—31.

So the resolution was adopted.

Mr. Jackson, of Perry, submitted the following report:

The standing committee on Military Affairs, to whom was referred Senate Bill No. 1—To amend an act entitled "An Act to enroll the militia of Ohio, to organize a volunteer militia, and to repeal certain acts therein named," passed April 2, 1866, (S. & S., p. 449,) having had the same under consideration, report it back with the following amendments, and recommend its passage when so amended: To add—

"SEC. 2. That said section one of the above recited act, be and the same is hereby repealed," and to change the number of section "2," as shown in the bill, to section "3."

LYMAN J. JACKSON,	J. M. CARSON,
GEO. P. TYLER,	THOS. S. JACKSON,
G. M. SALTZGABER,	D. JOY.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Wagener submitted the folloing report:

The standing committee on Manufactures and Commerce, to whom was referred the nomination, by Governor Bishop, of Wm. C. Watson as Inspector of Leaf Tobacco, having had the same under consideration, report it back and recommend his confirmation.

D. WAGENER,	J. B. WILLIAMS,
J. M. ARMSTRONG,	GEO. P. TYLER,
LINDSAY KELLEY,	THOS. M. BEER.

Which report was agreed to.

Mr. Johnston moved that the message and appointment be laid on the table.

Which was disagreed to.

The question being on advising and consenting to said appointment, the yeas and nays were taken and resulted—yeas 27, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Dungan, Fisher, Forrest, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, McDonald, Owens, Parker, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—27.

So the Senate advised and consented to said appointment.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred a bill to amend section one of an act entitled "An Act to amend an act fixing the rate of interest, passed May 4, 1869, (O. L., vol. 66, pp. 91, 92,) having had the same under consideration, report it back with the following amendments, and recommend its passage when so amended. The amendments are as follows:

The title to read, "To amend section one of an act entitled "An act to amend an act fixing the rate of interest," passed May 4, 1869, (O. L., vol. 66, pp. 91, 92,) and to insert in section one the following words: "That section one of said act be amended so as to read as follows," and the words "so amended" be stricken from section two.

W. T. Forrest, Irvine Dungan,
D. Wagener, G. M. Saltzgaber,
Lyman. J. Jackson.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

On motion of Mr. Benson the Senate took a recess.

THREE O'CLOCK, P. M.

Mr. Steedman offered the following resolution:

S. J. R. No. 9—For the continuance of provisions for youthful offenders committed from the State at large to the Toledo House of Refuge and Correction.

Whereas, The city of Toledo has facilities and accommodations for keeping a much greater number of boys in its House of Refuge and Correction than its own need demands, and now has under its care and protection one hundred and fifty-two youthful offenders committed to that institution from the State at large, under contract made in pursuance of a joint resolution of the General Assembly of the State, passed April 8, 1876, and—

Whereas, The facilities and accommodations of the Toledo Institution, together with those of the Reform Farm, are still needed by the State, and to meet such need and make provision for the number there committed the city of Toledo has incurred a large expense—

Be it resolved by the General Assembly of the State of Ohio, That the Attorney-General be, and he is hereby authorized to contract with the city of Toledo, through the Board of Directors of the House of Refuge and Correction of said city for the keeping and maintaining of a number of boys under the age of sixteen years, who may hereafter be sentenced to, or are now subject to confinement in such House of Refuge and Correction under the laws of the State, not exceeding one hundred and fifty, and a a rate of compensation which shall be reasonable and equitable, not ex ceeding three dollars per week for each boy there kept, to be paid by the State, subject to the future action of the General Assembly: Provided That all inmates, citizens of the city of Toledo, sentenced by its polic court, shall be kept and supported by said city. And—

Be it further Resolved, That the instructions given and authority co ferred upon the Attorney-General of the State and Probate Judge of Luc County under and by virtue of a provision to the general appropriati act of 1877, under the heading of "For Toledo House of Refuge and C rection," which proviso terminates on February 1, 1878, an existi contract between the State and the city of Toledo, be and the same a hereby revoked.

Which, on motion, was referred to the committee on Benevolent Ins tutions.

Mr. Steedman, on leave, introduced the following bill, which was read the first time:

S. B. No. 25—To amend an act entitled "An act to amend sections seven and ten of an act entitled an act to provide against the evils resulting from the sale of intoxicating liquors in the State of Ohio," passed May 1, 1854, passed April 18, 1870, (O. L., vol. 67, page 101); also, to amend an act entitled "An act to amend an amendment of section seven of an act to provide against the evils resulting from the sale of intoxicating liquors in the State of Ohio," passed May 1, 1870; passed February 18, 1875, (O. L., vol. 72, page 35).

Mr. Johnston, on leave, introduced the following bill, which was read the first time:

S. B. No. 26—To amend an act entitled "An act to amend section three of an act to provide for the appointment of a Commissioner of Railroads and Telegraphs, and to prescribe his duties," passed April 8, 1871, (O. L., vol. 68, p. 55).

Mr. Johnston offered the following resolution:

S. R. No. 32—*Resolved*, That Frank Fogle and Carlisle Olmstead be and they are hereby allowed the sum of ten dollars each for services rendered during the present session, and that the President of the Senate is authorized to certify to the same.

The question being on the adoption of the resolution, the yeas and nays were ordered, taken and resulted—yeas 25, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Marsh, McDonald, Owens, Richards, Sabine, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—25.

So the resolution was adopted.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills in which the concurrence of the Senate is requested:

H. B. No. 8—Mr. Poe—To amend an act passed April 2, 1866, entitled "An act to enroll the militia of Ohio, to organize a volunteer militia, and to repeal certain acts therein named." (63, vol. 70, S. & S. 449.)

H. B. No. 24—Mr. Wasson—To authorize the city council of Gallipolis, Gallia county, Ohio, to purchase a steam fire engine, and to issue bonds to pay for the same.

Attest: L. A. BRUNNER, *Clerk.*

Which bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bill has been introduced in the House of Representatives and read the first time:

H. B. No. 69—Mr. Van Cleaf—To provide for the regulation and management of Hospitals for the Insane.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Fisher submitted the following report:

The standing committee on Public Printing, to whom was referred S. R. No. 14—Providing for the printing of Labels for the use of members and officers of the Senate in public documents, having had the same under consideration, report it back with the following amendment and recommend its passage when so amended:

Add to the end of said resolution the words, "Provided the cost of said labels shall not exceed thirty dollars."

J. C. FISHER, J. M. ARMSTRONG,
J. M. CARSON, LINDSEY KELLEY,
JOHN H. BENSON, D. D. BEEBE.

The amendment and the report of the committee was adopted.

The question being on the adoption of the resolution, the yeas and nays were taken and resulted—yeas 26, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Steedman, Stokes, Tyler, Wagener and Williams—26.

Those who voted in the negative were—

Messrs. Dungan and Seitz—2.

So the resolution was adopted.

Mr. Tyler submitted the following report:

The standing committee on Railroads, Telegraphs and Turnpikes, to whom was referred S. B. No. 23—Mr. Lord—Further to amend an act entitled "An act for the creation and regulation of Incorporated Companies in the State of Ohio, passed May 1, 1852, (50 vol., stat. 274,) having had the same under consideration, report it back and recommend its passage.

GEO. P. TYLER, HENRY C. LORD,
J. M. CARSON, THOS. M. BEER,
J. C. FISHER, H. SABINE,
D. JOY.

Mr. Tyler moved that the bill be engrossed and read the third time to-morrow.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested:

H. J. R. No. 1—Mr. Bohl—Declaring United States Bonds payable, principal and interest, in silver, at the option of the Government, and instructing our Senators and Representatives in Congress to support the "Bland Silver Bill" without any amendments limiting free coinage.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Johnston gave notice of his intention to discuss, so the resolution went over under the rule.

On motion of Mr. Krimmel, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

FRIDAY, JANUARY 18, 1878—10 o'clock A. M.

The Senate met pursuant to adjournment.

Prayer by Rev. I. F. King.

The Journal was read and approved.

The following bills were read the second time, and referred as follows:

S. B. No. 25—Mr. Steedman—To amend an act entitled an act to amend sections 7 and 10 of an act entitled an act to provide against the evils resulting from the sale of intoxicating liquors in the State of Ohio, passed May 1, 1854; passed April 18, 1870, (O. L., vol 67, p. 101); also, to amend an act entitled an act to amend and an amendment of section 7 of an act to provide against the evils resulting from the sale of intoxicating liquors in the State of Ohio, passed May 1,1854, and amended April 18, 1870; passed February 18, 1875, (O. L., vol. 72, p. 35).

To Committee on Sanitary Laws and Regulations.

S. B. No. 26—Mr. Johnston—To amend an act entitled an act to amend section 3 of an act to provide for the appointment of a Commissioner of Railroads and Telegraphs.

To Committee on Salaries and Fees of Public Officers.

H. B. No. 8—Mr. Poe—To amend an act passed April 2, 1866, entitled an act to enroll the militia of Ohio, to organize a volunteer militia, and to repeal certain acts therein named, (63 volume, 70; Swan and Sayler, 449).

To Committee on Military Affairs.

H. B. No. 24—Mr. Wasson—To authorize the City Council of Gallipolis, Gallia County, to purchase a steam fire engine, and to issue bonds to pay for the same.

To Committee on Finance.

S. B. No. 1—Mr. Richards—To amend an act entitled "an act to enroll the militia of Ohio, to organize a volunteer militia, and to repeal certain acts therein named," passed April 2, 1866, (Swan & Sayler, page 449).

Was read the third time.

Mr. Seitz moved that the bill be laid on the table.

Which was agreed to.

S. B. No. 2—Mr. Saltzgaber—To amend an act entitled "an act to amend an act fixing the rate of interest," passed May 4, 1869, (Laws, vol. 66, pp. 91 and 92.)

Was read the third time.

Mr. Benson moved to amend said bill by striking out the word "eight" in the fifth line, and inserting instead thereof the word "seven."

On which amendment the yeas and nays were demanded, taken, and resulted—yeas 7, nays 24.

Those who voted in the affirmative were—

Messrs. Benson, Dungan, Fisher, McDonald, Richards, Seitz, Steedman—7.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Sabine, Saltzgaber, Stokes, Tyler, Wagener, Williams—24.

So the amendment was disagreed to.

Mr. Benson moved to amend said bill as follows:

To strike out all of line 6 except "per annum," and add thereto "that a

larger amount contracted for shall be deemed usurious, and work a forfeiture of both usury and interest."

Which was disagreed to.

The question being, "Shall the bill pass?" the yeas and nays were demanded, taken, and resulted—yeas 12, nays 18, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Carson, Dungan, Forrest, Grove, Jackson of Perry, Joy, Kelley, Lord, Owens, Saltzgaber, Wagener—12.

Those who voted in the negative were—

Messrs. Beebe, Beer, Benson, Fisher, Howland, Irvine, Jackson of Clinton, Johnston, Krimmel, Marsh, McDonald, Richards, Sabine, Seitz Steedman, Stokes, Tyler, Williams—18.

So the bill was lost.

S. B. No. 23—Mr. Lord—Further to amend an act entitled an act for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852, (50 volume Statutes, 274).

Was read the third time.

Mr. Johnston moved to refer the bill to a select committee of one, with instructions to amend as follows: Strike out all of line 19 after the word "company," and also all of line 20.

Which was disagreed to.

The question being, "Shall the bill pass?" the yeas and nays were demanded, taken, and resulted—yeas 26, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes. Tyler, Wagener, Williams—26.

Mr. Johnston voted in the negative—1.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 22—Mr. Dalzell—For the relief of ex-Union soldiers and their heirs.

Attest: L. A. BRUNNER, *Clerk.*

Which was read the first time.

Mr. Jackson, of Perry, introduced the following bill, which was read the first time:

S. B. No. 27—To change certain specified times for holding Courts of Common Pleas, in the counties of Fairfield, Perry, and Hocking, for the year A. D. 1878.

Mr. Jackson moved that the constitutional rule requiring bills to be read on three separate days be suspended, and that said bill be read the second time.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 29, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener—29.

Mr. Dungan voted in the negative—1.

So the motion was agreed to and said bill was read the second time.

Mr. Carlisle moved that the bill be referred to a select committee consisting of the Senators from the Seventh Judicial District—Messrs. Carlisle and Jackson, of Perry.

Which was agreed to.

On motion of Mr. Irvine, the Senate took a recess.

THREE O'CLOCK P. M.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 70—Mr. Van Cleaf—To repeal an act entitled an act to establish a Board of State Charities, and defining their duties, passed April 3, 1876, (O. L., vol. 73, p. 165).

H. B. No. 71—Mr. Sullivan, of Miami—To amend section 1 of an act to amend sections 1 and 4 of an act entitled an act to provide for the repair of free turnpike roads in certain counties, and to authorize the County Commissioners of any county in this State to constitute a Board of Directors to regulate the hauling of heavy burdens on any free turnpike or improved road, passed and took effect April 20, 1874; passed March 17, 1875, (O. L., vol. 72, p. 53); passed April 3, 1876, (O. L., vol. 73, p. 151); passed May 2, 1877, (O. L., vol. 74, p. 153), and for other purposes.

H. B. No. 72—Mr. Washburn—To organize the Asylum for the Blind.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 73—Mr. Crosson—To amend the eighth section of an act entitled an act defining the jurisdiction and regulating the practice of Probate Courts, passed March 14, 1853, as amended April 9, 1863, (S. & S. 626).

H. B. No. 74—Mr. Fenton—To create a Special School sub-District No. 4, in Dover Township, Fulton County, Ohio.

H. B. No. 75—Mr. Palmer—To establish a sub-School District in Olmstead Township, Cuyahoga County, Ohio.

H. B. No. 76—Mr. Foster—Relating to juries.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The house of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested:

H. J. R. No. 13—Mr. Levering—Directing the Superintendent of the Columbus Hospital for the Insane to admit Clark Tucker as a patient into said Hospital.

Attest: L. A. BRUNNER, *Clerk.*

The question being on the adoption of the resolution, the yeas and nays were taken, and resulted—yeas 27, nays 0, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Richards, Sabine, Seitz, Steedman, Stokes, Tyler, Wagener, Williams—27.

So the resolution was adopted.

Mr. Saltzgaber gave notice of his intention, on to-morrow, or some subsequent day of the session, to introduce a bill to amend section 139 of an act entitled "an act of the jurisdiction and procedure before Justices of the Peace, and of the duties of Constables in civil courts," passed March 14, 1853, (51 volume Statutes, 179, S. & C. 794.)

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bill has been introduced in the House of Representatives and read the first time:

H. B. No. 77—Mr. Luccock — To amend an act entitled an act to provide for the appointment of a Commissioner of Railroads and Telegraphs and to prescribe his duties.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Forrest, on leave, introduced the following bill which was read the first time:

S. B. No. 28—To authorize compensation to be paid to members of the Board of Equalization and their assistants.

Mr. Forrest gave notice of his intention to-morrow, or some subsequent day of the session, to introduce a bill to revise and codify the laws relating to the organization and maintenance of the militia of Ohio.

Mr. Owens, on leave, introduced the following bill, which was read the first time:

S. B. No. 29—To more effectually prevent frauds in the canvassing of votes and making election returns.

Mr. Carlisle submitted the following report:

The select committee of Calrisle and Jackson, to whom was referred Senate Bill No. 27—an act to change certain specified times fixed for holding Courts of Common Pleas in the counties of Fairfield, Perry, and Hocking, having had the same under consideration, report it back with the recommendation that it be passed.

B. W. CARLISLE,
LYMAN J. JACKSON.

The bill was ordered to be engrossed and read the third time to-morrow.

Mr. Forrest moved that H. J. R. No. 1 be referred to a select committee of three.

Which was agreed to.

The President appointed Messrs. Forrest, Jackson of Perry, and Howland as such select committee.

The President announced the following standing Committee on Fish Culture and Game, in pursuance of S. R. No. 22: Messrs. Marsh, Steedman, Fisher, Parker, Howland, Beer, and Richards.

Mr. Seitz asked and obtained leave of absence for Mr. Parker till Tuesday next.

Mr. Carlisle offered the following resolution, which was adopted:

S. R. No. 33—WHEREAS, There is complaint by numerous persons of want of proper ventilation in the Capitol building, by reason of improper ventilation in the lower part of the same, together with other prominent causes producing bad air; therefore,

Resolved, That the standing committee on Public Buildings are hereby instructed to confer with a similar committee of the House of Representatives, and make the needed examination and report what remedy, if any, can be provided, and the probable cost of the same.

Mr. Forrest submitted the following report:

The special committee to whom was referred H. J. R. No. 1—Mr. Bohl—Declaring United States Bonds payable, principal and interest, in silver, at the option of the government, and instructing our Senators and Representatives in Congress, to support the Bland Silver Bill without any amendment, limiting free coinage; having had the same under consideration, report it back and recommend its passage.

W. T. FORREST,
LYMAN J. JACKSON.

Mr. Howland submitted the following, as a minority report, from the select committee of three to whom was referred H. J. R. No. 1—Mr. Bohl—and recommends that said resolution be amended by striking out all after the words "joint resolution" and inserting the following:

Be it resolved, by the General Assembly of the State of Ohio, That common honesty to the tax-payer, the letter and spirit of the contract under which the great body of the indebtedness was assumed by the United States, and true financial wisdom, each and all demand the repeal of the act of Congress of 1873, which prohibits the coining of the silver dollar, and all acts which demonetize the same, and also demand the full restoration of the silver dollar of 412½ grains of standard silver to the same position which it held as a legal tender and lawful money prior to the passage of said acts.

W. P. HOWLAND.

Mr. Howland moved that the minority report be adopted.

On which motion, the yeas and nays were demanded, taken, and resulted—yeas 8, nays 22, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Howland, Jackson of Clinton, Johnston, Kelley, Richards, Sabine—8.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams—22.

So the report was disagreed to.

Mr. Seitz moved to amend by striking out the fourth resolution, and inserting the following therefor:

Resolved, That we favor and demand the immediate restoration of the silver dollar to its former status as a full legal tender for all debts, public and private.

Which was disagreed to.

On motion of Mr. Forrest, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk*.

SATURDAY, JANUARY 19, 1878—10 o'clock A. M.

The Senate met pursuant to adjournment.

The Journal was read and approved.

Mr. Stokes presented the petition of D. Mount and 127 other citizens of Warren county, praying for the enactment of a law for the protection of quail.

Which was referred to the standing committee on Agriculture.

Mr. Carson presented the petition of 1,420 citizens of Shelby, Miami and Darke counties, praying for further protection of quail.

Which was referred to standing committee on Agriculture.

Mr. McDonald presented the petition of Nelson Kellenberger and 77 other citizens of Ross county, praying the Legislature to enact a special law to protect quail.

Which was referred to the committee on Agriculture.

Mr. Saltzgaber presented the memorial of Hon. Joseph Cable, of Paulding county, asking legislation regulating insurance companies, and to punish the officers thereof for improper practices.

Which was referred to the committee on Insurance.

Mr. Krimmel presented the petition of J. G. Haas and 414 other citizens of Pickaway and Franklin counties praying for enactment of a law for the protection of quail.

Which was referred to the committee on Fish Culture and Game.

Mr. Johnston presented the petition of Philip Jacobs and 143 other citizens of Mahoning county, asking for repeal of the statute authorizing County Commissioners and Township Trustees to increase or reduce the width of roads.

Which was referred to the committee on Roads and Highways.

The following bill was read the second time:

S. B. No. 28.—Mr. Forrest—To authorize a compensation to be paid members of boards of equalization and their assistants.

Mr. Forrest moved that the constitutional rule requiring bills to be read on three separate days, be dispensed with, in reference to said bill, and that the bill be engrossed and read the third time now.

On which motion the yeas and nays were taken and resulted—yeas 28 nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—28.

So the motion was agreed to.

The bill was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 28, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Perry, Johnston, Joy, Kelley, Lord, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—28.

So the bill passed. The title was agreed to.

Bills were read the second time and referred as follows:

S. B. No. 29—Mr. Owens—To more effectually prevent fraud in the canvassing of votes and making election returns.

To committee on Privileges and Elections.

H. B. No. 22—Mr. Dalzell—For the relief of ex-Union soldiers and their heirs.

To committee on Military Affairs.

S. B. No. 27—Mr. Jackson of Perry—To change certain specified times fixed for holding courts of common pleas in the counties of Fairfield, Perry and Hocking, for the year A. D. 1878.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were demanded, taken and resulted—yeas 29, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—29.

So the bill passed. The title was agreed to.

Mr. Saltzgaber, pursuant to notice, introduced the following bill, which was read the first time:

S. B. No. 30—To amend section 139 of an act entitled "An act of the jurisdiction and procedure before Justices of the Peace, and of the duties of Constables in civil courts," passed March 14, 1853, (51 vol. stat., 179, S. & C. 794).

Mr. Carlisle presented the petition and memorial of 214 citizens of Fairfield county, praying for further protection to quail.

Which was referred to the committee on Agriculture.

Mr. Joy offered the following joint resolution:

S. J. R. No. 10—WHEREAS, Rumors affecting the official conduct and integrity of one or more Directors of the Ohio State Penitentiary are being circulated; therefore be it,

Resolved, That a select committee of two from the Senate and — from the House be appointed to investigate said rumors and report the result of their examination to the Senate and House, and that said committee have power to subpœna witnesses, to call for any papers and to administer oaths.

Which, on motion, was referred to the committee on Penitentiary.

Mr. Johnston, on leave, introduced the following bill, which was read the first time:

S. B. No. 31—To amend section 1 of an act entitled "An act to provide for increasing or reducing the width of country or township roads" passed March 27, 1867 (S. & S., p. 693).

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time.

H. B. No. 78—Mr. Johnson—To create a special school district composed of territory in the townships of Washington, Perry, Rush and Clay, in Tuscarawas county, Ohio.

H. B. No. 79—Mr. Van Cleaf—To amend section 22 of an act entitled "An act for the incorporation of townships," passed March 14, 1853, (S. & C., vol. 2, p. 1571.)

H. B. No. 80—Mr. Booth—For the protection of life and property in the use of steam boilers.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Armstrong, on leave, introduced the following bill, which was read the first time:

S. B. No. 32—To regulate broke rage in certain cases.

Mr. Jackson submitted the following report:

The standing committee on Military Affairs to whom was referred H. B. No. 8—To amend an act passed April 2, 1866, entitled "An act to enroll the militia of Ohio, to organize a volunteer militia, and to repeal certain acts therein named," (63 v. 70, S. & S., 449)—having had the same under consideration, report it back and recommend its passage.

LYMAN J. JACKSON, D. JOY,
G. M. SALTZGABER, J. R. JOHNSTON,
GEO. P. TYLER.

Said bill was ordered to be read the third time.

The bill was then read.

The question being "Shall the bill pass?" the yeas and nays were demanded, taken and resulted—yeas 27, nays none, as follows.

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Steedman, Tyler, Wagener and Williams—27.

So the bill passed. The title was agreed to.

On motion of Mr. Forrest, H. J. R. No. 1 was taken from the table.

Mr. Beer moved to amend the third resolution by striking out all after the word "resolved" to the words "in their opposition," and insert "Samuel J. Tilden, George B. McClellan, Senators Bayard and Eaton, and Congressman Fernando Wood."

Which was disagreed to.

On motion of Mr. Richards, the Senate took a recess.

THREE O'CLOCK P. M.

Mr. Jackson of Perry asked for and obtained leave of absence for himself for next week.

Mr. Howland asked for and obtained leave of absence for Mr. Lord until Tuesday next.

When the Senate took a recess it had under consideration H. J. R. No. 1.

The previous question was demanded and sustained.

The question being on the adoption of the resolution, the yeas and nays were demanded, taken, and resulted—yeas 16, nays 5, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carson, Forrest, Grove, Irvine, Joy, Krimmel, McDonald, Owens, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—16

Those who voted in the negative were—

Messrs. Beebe, Beer, Howland, Kelley and Sabine—5.

So the resolution was adopted.

The title was agreed to.

Mr. Tyler asked for and obtained leave of absence for Mr. Saltzgaber until Tuesday next.

On motion of Mr. Forrest, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

MONDAY, JANUARY, 21, 1878—10 o'clock A. M.

The Senate met pursuant to adjournment.

Prayer by the Rev. D. A. Randall.

The Journal was read and approved.

Mr. Kelley presented the petition of Thomas W. Meairs and 194 other citizens of Lawrence County, praying that pay of members of the Legislature be fixed at $300 per year.

Which was referred to the Committee on Salaries and Fees.

The following bills were read the second time and referred as follows:

S. B. No. 39—Mr. Saltzgaber—To amend section 139 of an act entitled an act of the jurisdiction and procedure before Justices of the Peace, and of the duties of constables of civil courts, passed March 14, 1853, (51 vol. Statutes, 179; Swan & Critchfield, 794).

To Committee on Judiciary.

S. B. No. 31—Mr. Johnston—To amend section 1 of an act entitled an act to provide for increasing or reducing the width of county or township roads, passed March 27, 1867, (Swan & Sayler, page 693).

To Committee on Roads and Highways.

S. B. No. 32—Mr. Armstrong—To regulate brokerage in certain cases.

To Committee on Fees and Salaries.

Mr. Tyler, on leave, introduced the following bill, which was read the first time:

S. B. No. 33—To amend section 1 of an act entitled "an act to secure the collection of delinquent taxes," passed and took effect March 31, 1877.

Mr. Forrest introduced the following bill, pursuant to notice, which was read the first time:

S. B. No. 34—To revise and codify the laws relating to the organization and maintenance of the militia of Ohio.

Mr. Beebe asked and obtained leave of absence for Mr. Sabine until to-morrow.

Mr. Seitz asked and obtained leave of absence for Mr. Marsh until to-morrow.

Mr. Howland asked and obtained leave of absence for Mr. Beer until to-morrow.

Mr. Richards asked and obtained leave of absence for Mr. Johnston until to-morrow.

Mr. Benson asked and obtained leave of absence for Mr. Steedman until Wednesday.

On demand of Mr. Krimmel, a call of the Senate was had. Twenty-one Senators answered to their names.

The Senators absent were—

Messrs. Beer, Carlisle, Curtiss, Grove, Jackson of Clinton, Jackson of Perry, Joy, Lord, Marsh, Parker, Sabine, Sherrick, Steedman, Wilson.

On motion of Mr. Krimmel, all further proceedings under the call were dispensed with.

Mr. Krimmel asked and obtained leave of absence for Mr. [illegible] Wednesday.

Mr. Seitz asked and obtained leave of absence for Mr. [illegible]. Carlisle until to-morrow.

Mr. Seitz, on leave, introduced the following bill, which was read the first time:

S. B. No. 35—An act to repeal an act entitled an act to establish a Board of State Charities, and defining its duties, (O. L., 73, p. 165).

Mr. Seitz, on leave, introduced the following bill, which was read the first time:

S. B. No. 36—An act to repeal an act entitled an act to create a Bureau of Statistics of Labor, (O. L., vol. 74, p. 209.)

The President laid before the Senate the following communication from the Clerk:

SENATE CHAMBER,

COLUMBUS, January, 21, 1878.

To the Senate:

The business of your honorable body has advanced to such a stage that additional clerical force is needed. I am authorized under the law (S. & S., pp. 379 and 380) to ask for assistance, and I therefore respectfully request the election or appointment of an engrossing Clerk, an Enrolling Clerk, and a Recording Clerk. I am, sirs,

Your obedient servant,

ALLEN O. MYERS, *Clerk.*

Mr. Tyler offered the following resolution:

S. R. No. 34—*Resolved*, That, additional clerical force being necessary, in accordance with the request of the chief Clerk, he is hereby authorized to appoint Charles Rhodes Engrossing Clerk, S. L. Goode Enrolling Clerk, and E. A. Knowles Recording Clerk.

Resolved, That, upon the adoption of this resolution, the appointments shall be made at once, and the clerks shall take the oath of office and enter immediately upon the discharge of their duties.

The question being on the adoption of the resolution, the yeas and nays were demanded, taken, and resulted—yeas 20, nays 0, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carson, Dungan, Fisher, Forrest, Howland, Irvine, Joy, Kelley, McDonald, Owens, Richards, Saltzgaber, Seitz, Stokes, Tyler, Wagener, Williams.

So the resolution was adopted.

The appointments were made as directed, and the said Charles Rhodes, as Engrossing Clerk, S. L. Goode, as Enrolling Clerk, and E. A. Knowles, as Recording Clerk, took an oath to support the Constitution of the United States and the Constitution of the State of Ohio, and also an oath of office, (administered by James A. Williams, a Notary Public,) and entered upon the discharge of the duties of their several offices.

The President *pro tempore* laid before the Senate the following communication from the Sergeant-at-Arms:

SENATE CHAMBER,

COLUMBUS, 11th day of January, 1878.

To the Senate:

GENTLEMEN—I need an additional porter, and would respectfully request authority to appoint the same.

Very respectfully,

ISAAC GLAZE, *Sergeant-at-Arms.*

Which was referred to the Committee on Public Expenditures.

Mr. Carson offered the following resolution, which was adopted:

S. R. No. 35—*Resolved*, That D. S. Fisher, First Assistant Clerk of this Senate, be, and he is hereby, constituted Clerk *pro tempore* of the Senate, to act as Chief Clerk and assume the responsibilities of the same during the absence of the Chief Clerk.

Mr. Fisher offered the following joint resolution:

S. J. R. No. 11—Directing the distribution of the remaining copies of the Report of the Ohio State Board of Centennial Managers.

Be it resolved, by the General Assembly of the State of Ohio, That the State Librarian be, and he is hereby, authorized and directed to distribute the two thousand copies of the Report of the Ohio State Board of Centennial Managers, placed in his care by resolution of the last General Assembly, as follows: Three hundred copies, in equal numbers, to the Historical and Philosophical Society of Ohio, at Cincinnati; the Archæological Society of Ohio, at Columbus; and the Western Reserve and Northern Ohio Historical Society, at Cleveland; and the remainder of said two thousand copies to be equally divided among the members of this General Assembly.

Mr. Howland moved to amend by striking out all after the word "copies," in line 9, to the end of the section, and inserting the following:

"To the Archæological Society of Ohio; one hundred copies each to the Historical and Philosophical Society of Ohio, at Cincinnati, the Western Reserve and Northern Ohio Historical Society, at Cleveland; and the remainder of said two thousand copies to be equally divided among the members of this General Assembly".

Mr. Seitz moved that the resolution and amendment be laid on the table.

Which was disagreed to.

On motion of Mr. Seitz, the resolution and amendment were referred to the Committee on Public Printing.

The President laid before the Senate the following communication:

STATE OF OHIO, DEPARTMENT OF STATE,
COLUMBUS, O., Jan. 21, 1878.

To the Hon. President of the Senate:

Frequent requests having been made of me for copies of the Railroad Report, I would say, I have five hundred copies of the Report of the Commissioner of Railroads and Telegraphs, placed in my care temporarily by the Supervisor of Public Printing, without any authority for their distribution.

I have the honor to be very respectfully yours,

MILTON BARNES, *Sec'y of State.*

On motion of Mr. Forrest, said communication was referred to the Committee on Public Printing.

On motion of Mr. Seitz, the Senate took a recess.

THREE O'CLOCK P. M.

Mr. Joy, on leave, introduced the following bill, which was read the first time:

S. B. No. 37—To amend an act entitled "an act to amend section 21 of act passed April 8, 1868 (chap. 1328), entitled an act to amend sections 18 and 21 of the act relating to roads and highways, passed March 9, 1868, (chap. 1372).

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives, and read the first time:

H. B. No. 81—Mr. O'Connor—For the reorganization and better management of the Ohio Soldiers' and Sailors' Orphans' Home, located near Xenia, and to repeal certain acts therein named.

H. B. No. 82—Mr. Baker—To authorize the trustees of the Mutual Protection Association of Patrons of Husbandry to move their office.

H. B. No. 83—Mr. Hume—To fix the price of legal advertising, and to amend section 2 of said act, passed March 25, 1876.

H. B. No. 84—Mr. Crossley—For the protection of certain burial grounds, and to amend an act passed April 18, 1874, (O. L., vol. 71, p. 109).

H. B. No. 85—Mr. Washburn — To regulate the payment of certain costs in criminal cases.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 86—Mr. Baker—To allow the Commissioners of Allen County to levy a tax, and to purchase and improve fair grounds for the use and benefit of said county.

H. B. No. 87—Mr. Crossley—To amend section 2 of an act entitled an act to protect certain birds and game, and to protect land owners and punish trespassing upon improved or enclosed lands, and to repeal certain statutes therein, passed April 2, 1876, and amended April 11, 1876, (O. L., vol. 73, p. 216).

H. B. No. 88—Mr. Covert—To relieve persons liable for delinquent taxes.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Wilson presented the petition of Frank C. Long and 267 other citizens of the 11th Senatorial District, for the enactment of a special law to protect quails.

Which was referred to the Committee on Agriculture.

Mr. Saltzgaber on leave, introduced the following bill which was read the first time:

S. B. No. 38—To secure the honest enforcement of the laws to exempt property of debtors from sale on execution or attachment.

Mr. Fisher asked and obtained leave to have his vote recorded on the adoption of H. J. R. No. 1.

The Clerk called his name, and he voted "aye."

Mr. Richards asked and obtained leave to have his vote recorded on the adoption of H. J. R. No. 1.

The Clerk called his name, and he uoted "no."

Mr. Wilson asked and obtained leave to have his vote recorded on Mr. Howland's substitute for H. J. R. No. 1.

The Clerk called his name and he voted "aye."

Mr. Wilson then asked and obtained leave to have his vote recorded on the adoption of H. J. R. No. 1.

The Clerk called his name, and he voted "no."

Mr. Saltzgaber submitted the following report:

The standing committee on Salaries and Fees of Public Officers, to whom was referred S. R. No. 31, having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended: To strike out of the beginning of the second line the words "a per diem," and insert in lieu thereof the words "for wages the sum," and add, at the end, "for the time actnally employed."

G. M. Saltzgaber, George W. Wilson,
John Seitz, John H. Benson.

The amendments were agreed to.

The question being on the adoption of the resolution, the yeas and nays were demanded, taken and resulted—yeas 22, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Dungan, Fisher, Forrest, Howland, Irvine, Joy, Kelley, Krimmel, McDonald, Owens, Richards, Saltzgaber, Seitz, Stokes, Tyler, Wagener, Williams, Wilson—22.

So the resolution was adopted.

Mr. Seitz offered the following resolution:

S. R. No. 36—*Resolved*, That the Sergeant-at-Arms be, and he is hereby, authorized to appoint Sebastian Gramlich as on of the porters of the Senate.

The question being on the adoption of the resolution, the yeas and nays were demanded, taken, and resulted—yeas 20, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Fisher, Howland, Irvine, Kelley, Krimmel, McDonald, Owens, Richards, Saltzgaber, Seitz, Stokes, Tyler, Wagener, Williams, Wilson—20.

Mr. Joy voted in the negative—1.

So the resolution was adopted.

Mr. Krimmel asked and obtained leave of absence, for to-morrow, for the Committee on Benevolent Institutions, and also for the chairman and others of the Committee on Reform School and Industrial School for Girls, to visit Toledo.

Mr. Tyler moved that the vote by which S. R. No. 36 was adopted be reconsidered.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 2, nays 18, as follows:

Those who voted in the affirmative were—
Messrs. Joy, Tyler—2.
Those who voted in the negative were—
Messrs. Armstrong, Beebe, Benson, Carson, Dungan, Fisher, Forrest, Howland, Irvine, Kelley, McDonald, Owens, Richards, Seitz, Stokes, Wagener, Williams, Wilson—19.
So the motion to reconsider was disagreed to.
On motion of Mr. Seitz, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

TUESDAY, JANUARY 22, 1878—10 o'clock A. M.

The Senate met pursuant to adjournment.
Prayer by Rev. I. F. Stidham.
The Journal was read and approved.
Mr. Richards presented the remonstrance of John Lindsay and 175 othier citizens of Jefferson county, against the passage of a law to prohib t the shooting of quail.
Which was referred to the committee on Fish Culture and Game.
Bills were read the second time and referred as follows:
S. B. No. 33—Mr. Tyler—To amend section one of an act entitled "An act to secure the collection of delinquent taxes," passed and took effect March 31, 1877.
To committee on Finance.
S. B. No. 34—Mr. Forrest—To revise and codify the laws relating to the organization and maintenance of the militia of Ohio.
To committee on Military Affairs.
S. B. No. 35—Mr. Seitz—To repeal an act entitled "An act to establish a bureau of State charities, and defining its duties, (O. L., vol. 73, page 165).
To committee on Public Expenditures.
S. B. No. 36—Mr. Seitz—To repeal an act entitled "An act to create a bureau of statistics of labor, (O. L., vol. 74, page 209).
To committee on Public Expenditures.
S. B. No. 37—Mr. Joy—To amend an act entitled "An act to amend section 21 of an act passed April 8, 1868, (chapter 1328) entitled an act to amend sections 18 and 21 of the act relating to roads and highways," passed March 9, 1868, (chapter 1372).
Referred to committee on Roads and Highways.
S. B. No. 38—Mr. Saltzgaber—To secure the honest enforcement of the laws to exempt property of debtors from sale on execution or attachment.
To committee on Judiciary.
Mr. Marsh, on leave, introduced the following bill, which was read the first time:
S. B. No. 39—To amend section 7, chapter 7, title 1, part 4, of the act to revise and consolidate the statutes of Ohio, passed May 5, A. D. 1877, (vol. 74, page 264, Laws of Ohio).

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution in which the concurrence of the Senate is requested:

H. J. R. No. 10—Mr. Norton—Providing for the printing and binding of additional copies of the Secretary of State's Report, for distribution among the members.

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Howland, said joint resolution was referred to the committee on Public Printing.

Mr. Saltzgaber submitted the following report:

The standing committee on Public Expenditures, to whom was referred communication of Isaac Glaze, Esq., Sergeant-at-Arms of the Senate, requesting the authority to appoint an additional porter, having had the same under consideration, report it back, without recommendation, and ask to be discharged from the further consideration thereof.

JOHN SEITZ, G. M. SALTZGABER,
J. B. WILLIAMS, C. S. PARKER,
J. C. FISHER.

The report was agreed to.

On motion of Mr. Joy, the Senate took a recess.

THREE O'CLOCK P. M.

Mr. Richards offered the following joint resolution:

S. J. R. No. 12—*Be it resolved by the General Assembly of the State of Ohio,* That our Senators in Congress be and they are hereby instructed, and our Representatives be and they are hereby requested, to favor the object of the following memorial, and that the Governor transmit to the President of the Senate of the United States, to the Speaker of the House of Representatives, and to our Senators and Representatives, copies of the same:

To the honorable the Senate and House of Representatives of the United States in Congress assembled:

Your memorialists, the Legislature of the State of Ohio, respectfully ask leave to call your attention to the inequality of the bounties paid under existing laws to the soldiers of the late war.

The soldiers who entered the service at the beginning of the war, and served for two years as enlisted men, received one hundred dollars at the time of their discharge, and, by a subsequent act of Congress, an additional one hundred dollars, but received no local bounties; while the soldiers who entered the service in the latter part of the war received a bounty of one hundred dollars per annum, and a large local bounty in addition thereto.

Your memorialists ask further leave to call your attention to the fact that a large number of the soldiers who entered the service in the early part of the war were discharged before the expiration of the two years, some on account of disease, and others, for gallant and faithful conduct, to accept commissions, and for that reason received neither the original or additional bounty.

Justice and equality alike demand such further legislation as will extend the bounty of the Government to all soldiers who served in the army for the preservation of the Union, and who were honorably discharged, in proportion to the time they served, whether that time shall have been for three months or for a longer period.

Your memorialists therefore respectfully pray that an act equalizing bounties be passed at as early a day as possible.

Mr. Saltzgaber moved to refer the resolution to the committee on Military Affairs.

Which was agreed to.

Mr. Forrest offered the following resolution:

S. R. No. 37—WHEREAS, On the 1st day of June, A. D. 1877, D. W. Belding was appointed a Trustee of Longview Asylum for the term of three years, and on the 4th day of June, 1877, M. T. Carey was appointed a Trustee of Longview Asylum for the term of three years, said appointments having been reported to this Senate by His Excellency Governor Thomas L. Young, but have not yet been confirmed, although said appointees have been acting as such Trustees since the date of their appointments; therefore,

Resolved, That said appointments do not meet with the approbation and concurrence of this Senate, and are therefore rejected.

Which, on motion, was referred to the committee on Benevolent Institutions, with instructions to report to-morrow.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following joint resolution:

H. J. R. No. 13—Mr. Levering—Directing the Superintendent of the Columbus Hospital for the Insane to admit Clark Tucker as a patient into said Hospital.

Attest: L. A. BRUNNER, *Clerk.*

The President *pro tem.*, in presence of the Senate, signed said joint resolution.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested:

H. J. R. No. 16—Mr. Meuser—Providing for the appointment of a joint committee to adopt a plan for the disposing of such work of the Codifying Commission as may be ready to bring before the General Assembly.

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Fisher, said joint resolution was referred to the committee on the Judiciary.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 27—Mr. Jackson of Perry—To change certain specified times fixed for holding courts of common pleas in the counties of Fairfield, Perry and Hocking for the year A. D. 1878.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 12—Mr. Bohl—To amend sections 18, 19 and 20 of an act for the reorganization and maintenance of common schools, (O. L., vol. 70, pp. 198 and 199), passed May 1, 1873.

H. B. No. 19—Mr. Leggett—To change the name of Cannonsburgh, Carroll county, Ohio.

H. B. No. 28—Mr. Estell—To authorize the incorporated village of Millersburg, Ohio, to transfer unappropriated funds.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were severally read the first time.

Mr. Fisher presented the petition of Samuel Slade and 260 other citizens of Tuscarawas county, praying for appropriate legislation to protect and improve the lands of the State.

Which was referred to the committee on Public Works and Public Lands.

Mr. Johnston, on leave, introduced the following bill, which was read the first time:

S. B. No. 40—To provide for the punishment of certain offenses therein named.

Mr. Fisher, on leave, introduced the following bill, which was read the first time.

S. B. No. 41—Relating to the Infirmary of Coshocton county.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 90—Mr. Mack—Supplementary to an act entitled "An act to provide for obtaining and publishing reports of banks and saving institutions and trust companies organized under the laws of this State," passed March 31, 1877, (O. L., vol. 74, page 72).

H. B. No. 91—Mr. Haley—Defining the judicature and regulating the practice of the probate courts in the county of Hardin, State of Ohio.

H. B. No. 92—Mr. Mackey—To amend section 7, of chapter 2, of an

act entitled "An act to amend, revise and consolidate the statutes relating to criminal procedure, (O. L., 74, p. 318).

H. B. No. 93—Mr. Danford—To relieve Ware township, Belmont county, from the operation of an act passed March 14, 1831, and took effect June 1, 1831, (S. & C., p. 1577,) providing for the election of three Trustees and Treasurer for section 16, school lands.

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Marsh, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

WEDNESDAY, JANUARY 23, 1878—10 o'clock A. M.

The Senate met pursuant to adjournment.
Prayer by Rev. D. A. Randall.
The journal was read and approved.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 94—Mr. Cowgill—To fix the rate of legal advertising.

H. B. No. 95—Mr. Parker—To authorize the Commissioners of Brown county to construct a free turnpike road from the terminus of the Mount Oral and Benton free turnpike to the terminus of the Fayetteville and Chusetown free turnpike road.

H. B. No. 96—Mr. Williams—To reorganize the Institution for the education of the Deaf and Dumb.

H. B. No. 97—Mr. Foster—To amend an act entitled, "An act supplementary to an act to provide for the better regulation of Turnpike and Plank Road Companies, and to repeal section forty-one of an act to provide for the regulation of incorporated companies," passed May 1, 1852, and repealed March 30, 1864, re-enacted April 5, 1866; passed March 11, 1867; passed April 3, 1868.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolutions in which the concurrence of the Senate is requested:

H. J. R. No. 8—Mr. Estell—Authorizing Senators and Representatives in the National Congress to vote for a bill granting pensions to surviving soldiers and the widows of deceased soldiers of the Mexican war.

H. J. R. No. 17—Mr. Poe—Requesting the Adjutant-General to prohibit the stabling of horses, ect., in the basement of the State House, and clean out said basement.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Howland moved to refer H. J. R. No. 8 to the committee on Military Affairs.

Which was agreed to.

On motion of Mr. Richards, H. J. R. No. 17 was referred to the committee on Common Schools.

Mr. Saltzgaber presented the petition of Henry Bertke and other citizens of Mercer county, to constitute sub-district number four, in Marion township, Mercer county, Ohio, which was referred to the committee on Common Schools.

Bills were read the second time and referred as follows:

S. B. No. 39—Mr. Marsh—To amend section seven, chapter seven, title one, part four of the act to revise and consolidate the statutes of Ohio, passed May 5th, A. D. 1877. (Vol. 74, p. 264, O. L.

To the committee on Fish Culture and Game.

H. B. No. 12—Mr. Bohl—To amend sections eighteen, nineteen and twenty of an act for the reorganization and maintenance of Common Schools. (Ohio Laws, volume 70, 1873, pages 198 and 199,) passed May 1st, 1873.

To the committee on Common Schools and School Lands.

H. B. No. 19—Mr. Leggett—To change the name of Cannonsburg, Carroll county, Ohio.

To the committee on Municipal Corporations.

H. B. No. 28—Mr. Estill—To authorize the incorporated village of Millersburg, Ohio, to transfer unappropriated funds.

To the committee on Finance.

S. B. No. 40—Mr. Johnston—To provide for the punishment of certain offenses therein named.

To the committee on Judiciary.

S. B. No. 41—Mr. Fisher—Relating to the Infirmary of Coshocton county.

To the committee on Benevolent Institutions.

Mr. Owens, on leave, introduced the following bill, which was read the first time:

S. B. No. 42—To amend section one of an act entitled, "An act to authorize the City Council of Newark and the County Commissioners to unite in building a sewer in said city, and to provide the necessary funds therefor," passed April 30, 1877, (O. L., vol. 74. p. 492).

Mr. Saltzgaber, on leave, introduced the following bill, which was read the first time:

S. B. No. 43—To create a special School District in Marion township, Mercer county, Ohio.

Mr. Lord, from the standing committee on Privileges and Elections, asked leave to have the petition of G. A. Baker and all other papers in the contested election case of Baker vs. Curtiss, printed.

On which motion the yeas and nays were ordered, taken and resulted—yeas 21, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Dungan, Fisher, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Stokes, Wagener and Williams—21.

So the motion was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 34—Mr. Clough—To authorize the council of the incorporated village of Middletown to issue bonds for the purchase of grounds and the erection and completion of a Town Hall, Engine and Hose House, and Prison.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

On motion of Mr. Benson, the Senate took a recess.

THREE O'CLOCK P. M.

Mr. Richards moved that the standing committee on Military Affairs be relieved from the further consideration of S. J. R. No. 12.

Which was agreed to.

The question being on the adoption of said joint resolution, the yeas and nays were taken and resulted—yeas 18, nays 4, as follows:

Those who voted in the affirmative were—

Messrs. Benson, Dungan, Fisher, Forrest, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Stokes and Williams—18.

Those who voted in the negative were—

Messrs. Armstrong, Saltzgaber, Seitz and Wagener—4.

So the resolution was adopted.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

S. B. No. 27—Mr. Jackson, of Perry—To change certain specified times fixed for holding courts of Common Pleas in the counties of Fairfield, Perry and Hocking, for the year A. D. 1878.

Attest: L. A. BRUNNER, *Clerk.*

The President *pro tem.*, in the presence of the Senate, signed said bill.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 27—Mr. Bohl—To amend an act entitled, "An act to incorporate the Beverly College, at Beverly," passed February 28, 1843, (vol. 41, local laws, page 92).

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Lord submitted the following report:

The standing committee on Privileges and Elections, to whom was referred Senate Bill No. 29—To more effectually prevent fraud in the canvassing of votes and making election returns, having had the same under consideration, report it back with the following amendments, and recommend its passage when so amended:

1. In line nine of section two, after the word "abstract," strike out the words "or neglect," and also in same line the word "such."
2. In same line and section, between the words "or" and "refuse," insert the words "shall corruptly."
3. After the word "returns," in same line and section, insert the following: "Required by law to be counted."

HENRY C. LORD, J. R. JOHNSTON,
R. G. RICHARDS, W. T. FORREST,
G. M. SALTZGABER.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Joy submitted the following report:

The standing committee on Penitentiary, to whom was referred Senate Joint Resolution No. 10—To appoint a select committee to investigate the official conduct of officers of the Penitentiary, having had the same under consideration, report it back and recommend its adoption.

D. JOY, W. H. STOKES,
THOS. MARSH, H. SABINE.

The question being on the adoption of the resolution, the yeas and nays were taken, and resulted—yeas 22, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Dungan, Fisher, Forrest, Howland, Irvine. Jackson of Clinton, Johnston, Joy, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Stokes, Wagener and Williams—22.

So the joint resolution was adopted.

On motion of Mr. Saltzgaber, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

THURSDAY, JANUARY 24, 1878—10 O'CLOCK A. M.

The Senate met pursuant to adjournment.

Prayer by Rev. D. A. Randall.

The Journal was read and approved.

Mr. Jackson of Clinton, presents the petition and memorial of 128 citizens of Greene and Clinton counties praying for further protection to quail.

Which was referred to the committee on Agriculture.

Mr. Grove presented the petition of Jacob Groby, Lewis Mease and 402 other citizens of Montgomery county, for the protection of quail.

Which was referred to the committee on Agriculture.

Mr. Grove presented the petition of David Hedrickson and 240 other citizens of Preble county, for the protection of quail.

Which was referred to the committee on Agriculture.

Mr. Carlisle presented the petition of F. F. Rempel, Jacob Kellar, and 548 other citizens of Hocking county, asking the preservation and improvement of the canals of the State.

Which was referred to the committee on Public Works.

Mr. Carlisle presented the petition of Hugh Cannon, Phillip Rising, and 113 other citizens of Fairfield county, praying for the preservation and improvement of the canals of the State.

Which was referred to the committee on Public Works.

Mr. Carlisle presented the petition of Isaac Claypool, Andy Saylor, and 140 other citizens of Fairfield county, asking for the preservation and improvement of the canals of the State.

Which was referred to the committee on Public Works.

The President laid before the Senate the following communication from the Sergeant-at-Arms:

SENATE CHAMBER, COLUMBUS, Jan. 24, 1878.

To the Senate:

GENTLEMEN—In accordance with the authority conferred by S. R. No. 8, I appointed Richard Barron and Wm. N. Yader, as porters, Jan. 7th, and by order of resolution No. 36, I hereby appoint Sebastian Gramlich as an additional porter.

Very respectfully, your obedient servant,

ISAAC GLAZE, *Sergeant-at-Arms.*

Bills were read the second time and referred as follows:

S. B. No. 42—Mr. Owens—To amend section 1 of an act entitled "An act to authorize the city council of Newark, and the county commissioners, to unite in the building of a sewer in said city, and to provide the necessary funds therefor," passed April 30, 1877, (O. L., vol. 74, p. 492.)

To committee on Municipal Corporations.

S. B. No. 43—Mr. Saltzgaber—To create a special school district in Marion township, Mercer county, Ohio.

To committee on Common Schools.

H. B. No. 27—Mr. Bohl—To amend an act entitled "An act to incorporate the Beverly College, at Beverly," passed February 28, 1843, (vol. 41, L. L., p. 92)

To committee on Universities and Colleges.

H. B. No. 34—Mr. Clough—To authorize the council of the incorporated village of Middletown, to issue bonds for the purchase of grounds, and the erection and completion of a town hall, engine and hose house and prison.

To committee on Municipal Corporations.

Mr. Fisher submitted the following report:

The committee on Revision has examined, and found correctly engrossed, S. B. No. 29, by Mr. Owens, to more effectually prevent fraud in the canvassing of votes and making election returns.

J. C. FISHER, G. W. WILSON,
J. M. CARSON, G. M. SALTZGABER.

S. B. No. 29—Mr. Owens—To more effectually prevent fraud in the canvassing of votes and making election returns.

Was read the third time.

Mr. Owens moved that said bill be referred to a select committee of one with instructions to amend as follows:

In line 6, sec. 1, strike out the word "misdemeanor" and insert therefor the word "felony," also, in line 11, sec. 2, strike out the word "misdemeanor," and insert therefor the word "felony."

Which was agreed to, and Mr. Owens was appointed said committee.

Mr. Owens submitted the following report:

The select committee of one to whom was referred S. B. No. 29, reports it back amended as instructed.

J. W. Owens.

The question being "Shall the bill pass?" the yeas and nays were demanded, taken, and resulted—yeas 28, nays 1; as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Stokes, Tyler, Wagener, Williams, Wilson—28.

Mr. Howland voted in the negative—1.

So the bill passed. The title was agreed to.

Mr. Richards submitted the following report:

The standing committee of Fish Culture and Game to whom was referred S. B. N. 39, by Mr. Marsh, to amend section 7 of an act of chapter 7, title 1, part 4 of the act to revise and consolidate the statutes of Ohio, passed May 5, A. D. 1877, (vol. 74, p. 264, O. L.) having had the same under consideration, report it back with the recommendation that it be passed.

Theo. Marsh, R. G. Richards,
J. C. Fisher, W. P. Howland.

Said bill was ordered to be engrossed and read the third time.

The bill was then read.

Mr. Jackson of Clinton, moved that said bill be referred to a select committee of one, with instructions to amend as follows:

In line 7, sec. 1, strike out the word "or" before the word "starch," and after "starch factory," insert the word "or distillery."

Which was agreed to, and Mr. Jackson of Clinton, was appointed said committee.

Mr. Jackson of Clinton, submitted the following report:

The select committee of one to whom was referred S. B. No. 39, reports it back amended as instructed.

Thos. S. Jackson.

The question being "Shall the bill pass?" the yeas and nays were demanded, taken, and resulted—yeas 22, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carson, Burtiss, Dungan, Fisher, Grove, Howland, Jackson of Clinton, Johnston, Joy, Kelley, Lord, Marsh, McDonald, Owens, Richards, Sabine, Seitz, Tyler, Wilson—22.

Messrs. Forrest and Parker voted in the negative—2.

So the bill passed. The title was agreed to.

Mr. Tyler submitted the following report:

The standing committee on Benevolent Institutions to whom was referred S. R. No. 37, by Mr. Forrest, relative to rejecting appointments

of Trustees for Longview Asylum; having had the same under consideration, report it back, and recommend its adoption.

GEO. P. TYLER, H. W. CURTISS,
C. F. KRIMMEL, D. D. BEEBE,
G. A. GROVE, THEO. MARSH,
B. W. CARLISLE.

The report of the committee was agreed to, and said resolution was adopted.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 24—Mr. Richards—To give priority in the trial of all claims for the wages of manual labor in the courts of this State, having had the same under consideration, report it back, and recommend its passage.

W. T. FORREST, J. R. JOHNSTON,
D. WAGENER, IRVINE DUNGAN,
G. M. SALTZGABER, W. P. HOWLAND.

Said bill was ordered to be engrossed and read the third time.

The bill was then read.

The question being "Shall the bill pass?" the yeas and nays were ordered, taken, and resulted—yeas 31, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Krimmel, Lord, Marsh, McDonald, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams, Wilson—31.

So the bill passed. The title was agreed to.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 20—Mr. Owens—A bill to prevent the practice o resorting to distant courts to oppress the citizens of Ohio and deprive them of their rights under the statutes of Ohio, having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended:

Add after the word "person," in line 4, of sec. 2, the words "or corporation."

W. T. FORREST, W. P. HOWLAND,
G. M. SALTZGABER, J. R. JOHNSTON,
IRVINE DUNGAN, D. WAGENER.

Said amendment was agreed to and the bill ordered to be engrossed and read the third time.

The bill was then read.

The question being "Shall the bill pass?" the yeas and nays were demanded, taken, and resulted—yeas 29, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Krimmel, Marsh, McDonald, Parker, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams, Wilson—29.

So the bill passed. The title was agreed to.

Mr. Beer moved to reconsider the vote by which S. B. No. 29 was passed.

The question being on the reconsideration of said bill, the yeas and nays were demanded, taken, and resulted—yeas 5, nays 26, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Howland, Kelley and Sabine—5.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Johnston, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Steedman, Tyler, Wagener, Williams and Wilson—26.

So the motion was disagreed to.

Mr. Owens asked and obtained leave to have his vote recorded on the passage of S. B. No. 20.

His name was then called by the Clerk, and he voted "aye."

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred H. J. R. No. 16—Mr. Meuser—Providing for the appointment of a joint committee to adopt a plan for the disposition of such work of the codifying commission as may be ready to bring before the General Assembly—having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

After the word "of," in the second line from top, insert "the State of."

On the eighth line after the word "ready," strike out the words "to bring to," and insert the word "for."

W. T. Forrest, D. Wagener,
G. M. Saltzgaber, J. R. Johnston,
Irvin Dungan, W. P. Howland.

Said amendments were agreed to.

The question being on the adoption of the joint resolution, the yeas and nays were ordered, taken and resulted—yeas 29, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forest, Grove, Howland, Irvine Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Williams and Wilson—29.

So said joint resolution was adopted.

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT.

Columbus, 24th day of January, 1878.

To the Senate:

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint Judge John W. Price, of Avondale, Hamilton county, and John E. Bell, of Cincinnati, Hamilton county, to be trustees of the Longview Asylum for the term of three years from their confirmation.

Very respectfully,

Richard M. Bishop, *Governor.*

Mr. Krimmel moved that the message be referred to the committee on Benevolent Institutions, with instructions to report on Wednesday next.

Which was agreed to.

Mr. Seitz submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 28—To authorize the incorporated village of Millersburgh, Ohio, to transfer unappropriated funds—having had the same under consideration, report it back and recommend its passage.

JOHN SEITZ, H. C. LORD,
IRVINE DUNGAN, H. W. CURTISS.

Said bill was ordered to be engrossed and read the third time.

The bill was then read.

The question being "Shall the bill pass?" the yeas and nays were demanded, taken, and resulted—yeas 30, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Williams and Wilson—30.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill in which the concurrence of the Senate is requested:

H. B. No. 4—Mr. Bohl—To amend an act entitled "An act to amend an act passed April 6, 1866, entitled an act supplementary to an act to establish a code of civil procedure," passed March 11, 1853, passed April 3, 1867, (S. & S., page 582.) passed March 28, 1876, (73, Ohio Laws 100.)

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 89—Norton—To authorize incorporated villages and cities to purchase steam fire engines.

H. B. No. 98—Mr. Foster—To amend section one of an act entitled "An act to provide for the repair of roads when abandoned by incorporated companies," passed March 14, 1853.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the adoption of the following joint resolution:

S. J. R. No. 5—Mr. Steedman—For the printing and distribution of 2,000 additional copies of the Report of the Adjutant General.

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Johnston, the Senate took a recess.

THREE O'CLOCK P. M.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 19—To change the name of Cannonsburgh, Carroll county, Ohio—having had the same under consideration, report it back and recommend its passage.

THEO. MARSH, JAMES B. STEEDMAN,
GEO. W. WILSON, R. G. RICHARDS,
G. M. SALTZGABER.

The bill was ordered to be engrossed and read the third time.

The bill was read the third time.

The question being "Shall the bill pass?" the yeas and nays were demanded, taken and resulted—yeas 27, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Williams and Wilson—27.

So the bill was passed. The title was agreed to.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled the following joint resolutions:

S. J. R. No. 1—Providing for the appointment of a joint committee to wait upon the Governor, &c.

S. J. R. No. 2—Providing for counting the votes cast for State officers.

S. J. R. No. 3—Providing for the appointment of a select joint committee to make necessary arrangements for the inauguration of the Governor.

S. J. R. No. 4—Instructing the Supervisor of Public Printing to print copies of the joint rules and rules of both houses.

S. J. R. No. 6—Providing for a joint convention of the two Houses, relative to the election of a United States Senator.

IRVINE DUNGAN, WM. JESSUP,
C. F. KRIMMEL, F. M. CARTER,
R. G. RICHARDS, J. W. WASHBURN.

Mr. Dungan submitted the following report:

The joint committee on Enrollment have examined and found correctly enrolled, the following bill:

H. B. No. 8—An act to amend an act, passsed April 2, 1866, entitled "An act to enroll the militia of Ohio, to reorganize a volunteer militia, and to repeal certain acts therein named," (63 v. 70, S. & S. 449.)

IRVINE DUNGAN, C. F. KRIMMEL,
WM. JESSUP, F. M. CARTER,
R. G. RICHARDS, J. W. WASHBURN.

Mr. Dungan submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled the following joint resolution:

H. J. R. No. 1—Declaring United States bonds payable, principal and interest in silver, at the option of the government, and instructing:

our Senators and Representatives in Congress to support the Bland Silver Bill, without any amendment limiting free coinage.

J. W. WASHBURN, C. F. KRIMMEL,
IRVINE DUNGAN, F. M. CARTER,
WM. JESSUP, R. G. RICHARDS.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives, has, in the presence of the House, signed the following joint resolutions:

S. J. R. No. 1—Mr. Carson—Providing for the appointment of a joint committee to wait upon the Governor.

S. J. R. No. 6—Mr. Owens—Providing for the appointment of a joint convention of the two Houses relative to the election of a United States Senator.

S. J. R. No. 2—Mr. Forrest—Providing for counting the votes cast for State Officers.

S. J. R. No. 3—Mr. Sherrick—Providing for the appointment of a select joint committee to make necessary arrangements for the inauguration of the Governor-elect.

S. J. R. No. 4—Mr. Krimmel—Instructing the Supervisor of Public Printing to print copies of the joint rules and rules of both Houses.

Attest: L. A. BRUNNER, *Clerk.*

The President *pro tem.* then signed said joint resolutions in the presence of the Senate.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill and joint resolution:

H. B. No. 8—Mr. Poe—To amend an act passed April 2, 1866, entitled "An act to enroll the militia of Ohio, to organize a volunteer militia, and to repeal certain acts therein named," (63, v. 70, S. & S., 449).

H. J. R. No. 1—Mr. Bohl—Declaring United States bonds payable, principal and interest, in silver at the option of the Government, and instructing our Senators and Representatives in Congress to support the Bland Silver Bill without any amendments limiting free coinage.

Attest: L. A. BRUNNER, *Clerk.*

The President *pro tem.* in the presence of the Senate, then signed said bill and joint resolution.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the adoption of—
S. J. R. No. 10—Mr. Joy—To appoint a select committee to investigate the official conduct of certain officers of the penitentiary.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:
H. B. No. 99—Mr. Wasson—To prevent fraud in the sale of fertilizers.
H. B. No. 100—Mr. Dalzell—To mark soldiers' graves which are now unmarked in the State of Ohio.
H. B. No. 101—Mr. Levering—To provide for persons who are now financially in distress.
H. B. No. 102—Mr. Cowgill—To provide for ascertaining the number of unmarked graves of soldiers in the State of Ohio.
H. B. No. 103—Mr. Swain—To better regulate the Ohio Agricultural and Mechanical College, and to repeal certain acts therein named.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Lord submitted the following report:
The standing committee on Finance to whom was referred H. B. No. 24—To authorize the City Council of Gallipolis, Gallia county, Ohio, to purchase a steam fire engine, and to issue bonds to pay for the same, having had the same under consideration, report it back and recommend its passage.

H. C. LORD, IRVINE DUNGAN,
THOS. W. BEER, H. W. CURTISS.

Said bill was ordered to be engrossed and read the third time now.
The bill was then read.
Mr. Richards moved that the bill be laid on the table.
Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:
H. B. No. 104—Mr. Palmer—For the relief of the Board of Education of Berea union school district, of Cuyahoga county, Ohio.
H. B. No. 105—Mr. Worley—To amend section 50 of an act entitled "An act for the reorganization and maintenance of common schools, passed May 7, 1873, and to repeal section 31 of an act entitled an act to amend, and supplementary to an act entitled an act to provide for the organization, supervision and maintenance of common schools, passed March 14th, 1852, and acts amendatory thereto; also supplementary to an act for the support and better regulation of common schools in the town of Akron, passed February 8, 1847, and the acts amendatory thereto; also, supplementary to an act for the better regulation of the public

schools in cities, towns, etc., passed February 21, 1849, and the acts amendatory thereto.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Saltzgaber submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 13—Mr. Saltzgaber — To repeal an act entitled an act supplementary to the act to require mortgages or bills of sale of personal property to be deposited with Township Clerks, passed and took effect April 30, 1877, (O. L. vol. 74, p. 149), having had the same under consideration, report it back and recommend the passage of the following bill as a substitute therefor.

W. T. FORREST, G. M. SALTZGABER,
IRVINE DUNGAN, W. P. HOWLAND.

The bill, on motion of Mr. Saltzgaber, was laid on the table, and the substitute ordered to be printed.

Mr. Carlisle presented the petition of J. E. Courtright, Henry Alspach and 278 other citizens of Fairfield county, praying for a law to protect quail in Ohio.

Which was referred to the committee on Agriculture.

Mr. Lord asked and obtained leave of absence for Mr. Saltzgaber for to-morrow.

Mr. Dungan submitted the following report:

The standing committee on Universities, Colleges and Academies, to whom was referred H. B. No. 27—Mr. Bohl—To amend an act entitled "An act to incorporate the Beverly College at Beverly, passed February 28, 1843, (vol. 41, Local Laws, p. 92), having had the same under consideration, report it back and recommend its passage.

IRVINE DUNGAN, W. H. STOKES,
JOHN IRVINE, H. W. CURTISS,
B. W. CARLISLE, G. W. WILSON,
W. T. FORREST.

Mr. Dungan moved that the constitutional rule requiring bills to be read on three separate days, be dispensed with, in reference to said bill, and that the bill be engrossed and read the third time now.

On which motion the yeas and nays were ordered, taken and resulted —yeas 27, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sabine, Seitz, Steedman, Stokes, Tyler, Williams and Wilson—27.

So the motion was agreed to.

The bill was then read.

Mr. Howland moved to refer said bill to the committee on Judiciary with instructions to report as to its constitutionality.

Which was agreed to.

Mr. Grove, on leave, introduced the following bill, which was read the first time:

S. B. No. 44—To give to owners of estates in remainder the right of entry upon such estates, for certain purposes.

Mr. Owens offered the following resolution.

S. R. No. 28—*Resolved*, That fifteen days per diem, amounting to $75, be allowed Wm. P. Jackson for services rendered in assisting the Clerks, and in doing the engrossing of the Senate up to Monday, January 21.

Which, on motion, was referred to the committee on Claims.

Mr. Fisher submitted the following report:

The standing committee on Public Printing to whom was referred H. J. R. No. 10—Providing for the printing of additional copies of the Secretary of State's Report, having had the same under consideration, report it back and recommend its adoption.

J. C. Fisher, J. M. Carson,
D. D. Beebe, Lindsey Kelley.
J. M. Armstrong.

The question being on the adoption of the resolution, the yeas and nays were ordered, taken and resulted—yeas 25, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Joy, Kelley, Krimmel, Lord, McDonald, Owens, Sabine, Seitz, Steedman, Stokes, Tyler, Williams and Wilson—25.

So the resolution was adopted.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the adoption of the following joint resolution:

S. J. R. No. 12—Mr. Richards—Praying Congress to equalize soldiers' bounties.

Attest: L. A. Brunner, *Clerk.*

Mr. Owens gave notice of his intention to-morrow, or some subsequent day, to introduce a bill to repeal an act improperly entitled "An act to secure to children the benefits of an elementary education," (O. L., v. 74, pp. 57, 58 and 59).

The President, in pursuance of S. J. R. No. 10, appointed Messrs. Joy and Lord the committee on the part of the Senate, to investigate the official conduct of certain officers of the penitentiary.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 106—Mr. Levering—To amend sections 1, 2, 3, 7 and 8, and adding sections 13 and 15 thereto of an act entitled an act for the protection of wool growers and the confiscation of dogs," passed May 5, and took effect June 1, 1877, (O. L., vol. 74, p. 177).

H. B. No. 107—Mr. Stubbs—To amend sections 2, 3, 4, 5, 6 and 7 of an act entitled "An act to require mortgages and bills of sale of personal property to be deposited with Township Clerks, passed; and to amend an act supplementary to same act, passed May 7, 1869, and amended April 30, 1877, and to repeal certain acts hereinafter mentioned, pertaining to mortgages and bills of sale."

H. B. No. 108—Mr. Alexander—To authorize certain institutions to receive donations, devises and bequests.

H. B. No. 109—Mr. Monahan—To destroy hawks, rats and mice in the State of Ohio.

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Seitz, the Senate adjourned until eight o'clock to-morrow morning.

Attest: ALLEN O. MYERS, *Clerk.*

FRIDAY, JANUARY 25, 1878—8 o'clock A. M.

The Senate met pursuant to adjournment.
The journal was read and approved.
Mr. Seitz moved that the Senate adjourn.
Which was agreed to.
The President announced that the Senate will stand adjourned, in pursuance of S. R. No. 21, until 3 o'clock P. M., Tuesday next.

Attest: ALLEN O. MYERS, *Clerk.*

TUESDAY, JANUARY 29, 1878—3 o'clock P. M.

The Senate met pursuant to adjournment.
The journal was read and approved.
The following bills were read the second time:

H. B. No. 4—Mr. Bohl—To amend an act entitled, "An act to amend an act passed April 6, 1866, entitled 'an act supplementary to an act to establish a code of civil procedure,'" passed March 11, 1853; passed April 3, 1867, (Swan & Sayler, page 582); passed March 28, 1876, (73 Ohio Laws, 100).

Referred to the committee on Public Printing.

S. B. No. 44—Mr. Grove—To give to owners of estates in remainder the right of entry upon such estates for certain purposes.

Referred to the committee on Judiciary.

On motion of Mr. Curtiss, S. B. No. 13 was taken from the table.

Mr. Curtiss moved that S. B. No. 13 be placed on the calendar for third reading to-morrow.

Which was agreed to.

On motion of Mr. Kelley, H. B. No. 24 was taken from the table.

Mr. Kelley moved that H. B. No. 24 be placed on the calendar for third reading to-morrow.

Which was agreed to.
On motion of Mr. Krimmel, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

WEDNESDAY, JANUARY 30, 1878—10 o'clock A. M.

The Senate met pursuant to adjournment.
Prayer by Rev. J. C. Jackson.
The journal was read and approved.
Mr. Parker asked and obtained indefinite leave of absence for Mr. Howland.
Mr. Krimmel presented the petition of S. J. Woolley and 180 other citizens of Franklin county, praying for a law for the protection of quail.
Which was referred to the committee on Fish Culture and Game.
Mr. Sherrick presented the petition of H. R. Bennett and 241 other citizens of Stark county, for the maintenance of the canals, and asking that they be improved and kept in good repair, etc.
Which was referred to the committee on Public Works and Public Lands.
Mr. Fisher presented the petition of Thomas West and 958 other citizens of Tuscarawas county, asking for the maintenance, better protection and improvement of the canals of the State.
Which was referred to the committee on Public Works.
Mr. Sherrick presented the petition of W. K. Miller and eighteen other citizens of Stark county, for a law to protect citizens of this State against levy by garnishee under the laws of other States.
Which was referred to the committee on Judiciary.
Mr. Carlisle presented the petition of W. W. Poston, Johnson Coe and thirty-three others; also, W. B. Devose, George Freer and ninety-five others; also, E. S. Poston, John McFall and twenty-eight others, also, J. S. Scott, J. R. Hickman and forty-three others; also, E. J. Cable, W. C. Hickman and thirty-seven others, citizens of Athens county, praying the Legislature to preserve and improve the canals of Ohio.
Which was referred to the committee on Public Works.
H. B. No. 24—Mr. Wasson—To authorize the city council of Gallipolis, Gallia county, Ohio, to purchase a steam fire-engine, and to issue bonds to pay for the same.
Was read the third time.
The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 23, nays 1, as follows:
Those who voted in the affirmative were—
Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Jackson of Perry, Joy, Kelley, Lord, Marsh, Owens, Richards, Sabine, Saltzgaber, Steedman, Stokes, Tyler and Williams—23.
Mr. Seitz voted in the negative—1.
So the bill was passed. The title was agreed to.
S. B. No. 13—Mr. Saltzgaber—To amend sections three, six and seven of an act entitled "An act to require mortgages or bills of sale of personal property to be deposited with township Clerks," passed February

24, 1846, (S. & C., p. 475,) and to repeal an act supplementary thereto, passed and took effect April 30, 1877, (O. L., vol. 74, p. 149).

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 18, nays 12, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Forrest, Grove, Joy, Kelley, Lord, Marsh, Sabine, Saltzgaber, Steedman, Tyler and Wagener—18.

Those who voted in the negative were—

Messrs. Beebe, Fisher, Jackson of Perry, Krimmel, Owens, Parker, Richards, Seitz, Sherrick, Stokes, Williams and Wilson—12.

So the bill was passed. The title was agreed to.

The following message was received from the Governor:

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 30th day of January, 1878.

To the Senate:

John W. Price, of Avondale, Hamilton county, and John E. Bell, of Cincinnati, Hamilton county, nominated to your honorable body for Trustees of Longview Asylum, by message, on the 24th day of January, inst., having declined to accept said nomination, their names, with the consent of the Senate, are hereby withdrawn.

Very respectfully, RICHARD M. BISHOP, *Governor.*

On motion, leave was granted to withdraw said appointments.

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 29th day of January, 1878.

To the Senate:

I have the honor to transmit herewith a communication from the Ohio River Improvement Commission in reference to an appropriation of money to pay the necessary expenses of the Commission, and respectfully request your attention thereto.

Very respectfully, RICHARD M. BISHOP, *Governor.*

Which, on motion, was referred to the committee on Manufactures and Commerce.

Mr. Richards presented the petition of Matthew Kittlewood and 315 other citizens of Jefferson county, asking that there be submitted to a vote of the people an amendment to the Constitution prohibiting, after the year 1900, the manufacture and sale of distilled alcoholic liquors.

Which was referred to the committee on Sanitary Laws and Regulations.

Mr. Sherrick presented the petition and memorial of 175 citizens of Stark county, praying for further protection to quail.

Which was referred to the committee on Agriculture.

Mr. Carlisle presented the petition of Benjamin Weist, P. M. Gibbong and twenty-five other citizens of Fairfield county, praying the passage of a law to protect quail.

Which was referred to the committee on Agriculture.

Mr. Carson presented the petition of W. R. Marshall and fifty-one other citizens of Shelby county, praying for further protection to the quail.

Which was referred to the Standing Committee on Agriculture.

Mr. Steedman, on leave, introduced the following bill, which was read the first time:

S. B. No. 45—Providing for the redemption of real property, or any interest therein, sold on execution or order of sale, and providing for the issuing of certificates of purchase in such cases, and for the execution of conveyances and repealing all laws in conflict therewith.

Mr. Forrest presented the petition of C. H. Gould and sixty other citizens of Hamilton county, in relation to the police of the city of Cincinnati.

Which was referred to the committee on Municipal Corporations.

Mr. Owens, on leave introduced the following bill, which was read the first time:

S. B. No. 46—To authorize the Licking County Agricultural Society to borrow money, and issue bonds therefor, to pay debts.

Mr. Joy offered the following joint resolution:

S. J. R. No. 13—*Be it resolved by the General Assembly of the State of Ohio*, That the joint committee of the Senate and House appointed to investigate the official conduct of the Directors and other officers of the State Penitentiary, be and are hereby authorized to employ a short-hand reporter to report the testimony to be taken by said committee; also, that the testimony, as taken, and all other papers in said investigation, be printed.

The question being on the adoption of the resolution, the yeas and nays were taken and resulted—yeas 10, nays 14, as follows:

Those who voted in the affirmative were—

Messrs. Joy, Lord, Owens, Parker, Richards, Steedman, Tyler, Williams and Wilson—10.

Those who voted in the negative were—

Messrs. Beer, Carlisle, Curtiss, Dungan, Fisher, Forrest, Jackson of Perry, Kelley, Krimmel, Sabine, Seitz, Sherrick and Wagener—14.

So the resolution was disagreed to.

Mr. Sabine presented the petition of J. D. Graham and other citizens of Union county, to protect quails.

Which was referred to the committee on Agriculture.

Mr. Owens, on leave, introduced the following bill, which was read the first time:

S. B. No. 47—To authorize and empower the Auditor of Licking county to refund certain taxes improperly collected.

Mr. Parker, on leave, introduced the following bill, which was read the first time:

S. B. No. 48—To authorize the city of Fremont to issue bonds and borrow money for the completion of city hall and fire engine house.

Mr. Sherrick, on leave, introduced the following bill, which was read the first time:

S. B. No. 49—To amend and revise the statutes relating to taxation, to be known as title 13, part 1, of the act to revise and consolidate the general statutes.

Mr. Saltzgaber moved that the constitutional rule, requiring bills to be read in full on their presentation, be dispensed with in reference to said bill, and that the same be read by its title.

On which motion the yeas and nays were taken, and resulted—yeas 25, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Jackson of Perry, Kelley, Lord, Marsh, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—25.

So the motion was disagreed to.

Mr. Sherrick moved that the rule requiring bills to be printed after their first reading be suspended in reference to S. B. No. 49.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 110—Mr. Stubbs—To add additional territory to West Elkton school district, and to create West Elkton special school district.

H. B. No. 111—Mr. Covert—To provide for courts of conciliation with respect to controversies concerning the productive industries of the State of Ohio, and to prevent strikes.

H. B. No. 112—Mr. Klimper—To amend section 15 of the act entitled "An act to create a Board of Public Works in certain cities having a population of one hundred and fifty thousand and upwards at the last Federal census," passed March 17, 1876, and section 344 of the act entitled "An act to provide for the organization and government of municipal corporations," passed May 7, 1869, as amended January 22, 1873.

H. B. No. 113—Mr. Dodds—To provide for the better organization of corporations designated as the widows' home and asylum for aged and indigent women.

H. B. No. 114—Mr. Parker—To create a special school district in Lewis township, Brown county.

H. B. No. 115—Mr. Estill—To repeal an act entitled "An act to secure to children the benefits of an elementary education," passed March 20, 1877.

H. B. No. 116—Mr. Cowgill—To authorize the village council of the incorporated village of Mechanicsburg, Champaign county, Ohio, to levy a tax and issue bonds for building a town hall, engine room, and jail.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 117—Mr. Bloom—To authorize the Trustees of Troy township, Richland county, Ohio, to join with the Council of the incorporated village of Lexington in the construction of a town hall for the joint use of said township and village.

H. B. No. 118—Mr. Klimper—Supplementary to the act entitled "An act to create a Board of Public Works in certain cities having a population of one hundred and fifty thousand and upwards at the last Federal census," passed March 17, 1876.

H. B. No. 119—Mr. Swaim—To amend and revise the statutes relating to elections, to be known as title 14, part 1, of the act to revise and consolidate the general statutes of the State of Ohio.

H. B. No. 120—Mr. Van Cleaf—To amend an act entitled "An act relating to certain proposed amendments to the Constitution, and the publication thereof," passed April 30, 1877, (O. L., vol. 74, p. 148).

H. B. No. 121—Mr. Trovinger—To amend section 92 of an act entitled "An act of the jurisdiction and procedure before justices of the peace," passed March 14, 1853.

H. B. No. 122—Mr. Williamson—To authorize the reorganization of defectively organized railroad corporations, and of disorganized railroad corporations.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker has appointed Messrs. Bloom, Clough and Creamer a joint committee on the part of the House, as provided in S. J. R. No. 10—Mr. Joy.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 35—Mr. Edwards—To amend an act entitled "An act to amend section 1 of an act entitled an act for the establishment, support and regulation of children's homes in the several counties and children's home district in this State, and to repeal certain acts therein named," passed and took effect March 22, 1876, (O. L., vol. 73, p. 64,) as amended February 8, 1877, (O. L., vol. 74, p. 14).

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to H. J. R. No. 16, and the following committee has been appointed on the part of the House: Messrs. Meuser, Booth, Washburn, Oglevee and Foster.

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Marsh, the Senate took a recess.

THREE O'CLOCK P. M.

Mr. Dungan asked and obtained leave of absence for Mr. Irvine, on account of sickness.

Mr. Dungan, on leave, introduced the following bill, which was read the first time:

S. B. No. 50—To make the silver coins of the United States a legal tender.

Mr. Curtiss presented the petition of S. W. Knap and 24 other citizens of Cuyahoga county, asking for the passage of a bill for the relief of the Cuyahoga County Agricultural Society.

Which was referred to the committee on Agriculture.

Mr. Parker submitted the following report:

The standing committee on State Buildings, to whom was referred S. J. R. No. 8—Mr. Howland—To construct a passage between the two Houses. having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

Provided that the cost of construction shall not exceed $800, including the furnishing of the room.

C. S. PARKER, JOHN SEITZ,
J. M. ARMSTRONG, WM. H. STOKES,
LINDSEY KELLEY, G. W. WILSON.

The report of the committee was agreed to.

The question being on the adoption of the joint resolution, the yeas and nays were ordered, taken and resulted—yeas 26, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Jackson of Perry, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Richards, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—26.

Those who voted in the negative were—

Messrs. Carson and Saltzgaber—2.

So the resolution was adopted.

Mr. Krimmel submitted the following report:

The standing committee on Benevolent Institutions, to whom was referred S. J. R. No. 9—Mr. Steedman—For continuance of provision for youthful offenders committed from the State at large to the Toledo House of Refuge and Correction, having had the same under consideration, report it back, and recommend its passage.

C. F. KRIMMEL, G. A. GROVE,
GEO. P. TYLER, THEO. MARSH,
H. W. CURTISS, D. D. BEEBE.

Mr. Carson moved to amend said joint resolution by striking out the words "three dollars," in line 28, and inserting instead thereof the words "two and one-half dollars."

Which was agreed to.

Mr. Seitz moved to refer the said joint resolution to the committee on Reform School.

Which was disagreed to.

The question being on the adoption of the joint resolution, the yeas and nays were ordered, taken, and resulted—yeas 27, nays 3, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—27.

Those who voted in the negative were—

Messrs. Richards, Seitz and Wilson—3.

So the joint resolution was adopted.

On motion of Mr. Carlisle, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

THURSDAY, JANUARY 31, 1878—10 o'clock A. M.

The Senate met pursuant to adjournment.

Prayer by Rev. J. C. Jackson.

The Journal was read and approved.

Mr. Owens presented the petition, of Thos. P. Burk and 60 other laborers of Ohio, praying for passage of S. Bs. Nos. 19 and 20.

Which was referred to committee on Judiciary.

Mr. Curtiss asked and obtained leave of absence for Mr. Joy, on account of sickness.

Mr. Owens presented the petition of Harvey Miller and 100 other farmers of Licking county, praying for the protection of foxes.

Which was referred to the committee on Fish Culture and Game.

Mr. Carlisle presented the petition of John Gill, Jacob Zollinger, and eighty-eight others; also, Fred Bauman, A. Schlechman, and one hundred and one others; also, Samuel Whiley, Peter Pursell, and thirty-two others; also, Wm. Redd, S. H. Hooker, and seventeen others; also, R. L. Sharp, Geo. W. Caley, and sixty-seven others; Louis Hammel, Andrew Snoke, and fifty-nine others of Fairfield county, praying for the preservation and improvement of the canals of Ohio.

Which was referred to the committee on Public Works.

Mr. Richards asked and obtained leave of absence for Mr. Jackson of Clinton, on account of sickness.

Bills were read the second time and referred as follows:

S. B. No. 45—Mr. Steedman—Providing for the redemption of real property, or any interest therein, sold on execution or order of sale, and providing for the issuing of certificates of purchase in such cases, and for the execution of conveyances, and repealing all laws in conflict therewith.

To committee on Judiciary.

S. B. No. 46—Mr. Owens—To authorize the Licking county agricultural society to borrow money and issue bonds therefor, to pay debts.

To committee on Corporations other than Municipal.

S. B. No. 47—Mr. Owens—To authorize and empower the auditor of Licking county to refund certain taxes improperly collected.

To committee on Corporations other than Municipal.

H. B. No. 35—Mr. Edwards—To amend an act entitled "An act to amend section one of an act entitled an act for the establishment, support, and regulation of children's homes in the several counties, and children's homes district in this state, and to repeal certain acts therein named," passed and took effect March 22, 1876, (O. L. vol. 73, p. 64), as amended February 8, 1877, (O. L. vol. 74, p. 14.)

To committee on Corporations other than Municipal.

S. B. No. 48—Mr. Parker—To authorize the city of Fremont to issue bonds and borrow money, for the completion of city hall and fire engine house.

To committee on Finance.

S. B. No. 50—Mr. Dungan—To make silver coins of the United States a legal tender.

To committee on Currrency.

Mr. Sherrick moved that the constitutional rule requiring bills to be read the second time in full, be dispensed with, in reference to S. B. No. 49, and that the same be read by its title.

On which motion, the yeas and nays were taken and resulted—yeas 27, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Jackson of Perry, Johnston, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Wilson—27.

So the motion was agreed to.

S. B. No. 49—Mr. Sherrick—To amend and revise the statutes relating to taxation, to be known as title thirteen, part one, of the act to revise and consolidate the general statutes.

Was read by its title, and referred to the committee of the Whole.

Mr. Sherrick, on leave, introduced the following bill, which was read the first time:

S. B. No. 51—To authorize the council of the city of Canton, Ohio, to appoint a "Board of Trustees," to take charge of property bequeathed to the poor of said city, and hold the same in trust for them.

Mr. Owens, pursuant to notice, introduced the following bill, which was read the first time:

S. B. No. 52—To repeal an act depriving citizens of the right to control their own local affairs, but entitled "An act to secure to children the benefits of an elementary education," passed March 20, 1877.

Mr. Lord, on leave, introduced the following bill, which was read the first time:

S. B. No. 53—To provide for the cleaning of streets in cities of the first class having a population of more than two hundred thousand, and to repeal an act therein named.

Mr. Wilson, on leave, introduced the following bill, which was read the first time:

S. B. No. 54—To amend section 6 of an act entitled "An act granting to guardians authority to improve the real estate of their wards, and to lease the same," passed April 11, 1876.

Mr. Forrest, on leave, introduced the following bill, which was read the first time :

S. B. No. 55—To provide for the better regulation of sales on execution and order of sale.

Mr. Sabine, on leave, introduced the following bill, which was read the first time:

S. B. No. 56—To authorize the Board of Education of School District No. 1, Paris tp., Union Co., O., to borrow money to pay indebtedness incurred in building school house and levy a tax for said purpose.

Mr. Saltzgaber, on leave, introduced the following bill, which was read the first time.

S. B. No. 57—To change the time for holding the second term of the Court of Common Pleas in the counties of Mercer and Van Wert for the year 1878.

Mr. Wagener, on leave, introduced the following bill, which was read the first time :

S. B. No. 58—To amend an act entitled "An act supplementary to an act entitled an act for the incorporation of townships," passed April 24. 1877.

The President appointed Messrs. Forrest, Owens, and Johnston the committee on the part of the Senate in pursuance of H. J. R. No. 16.

Mr. Marsh submitted the following report :

The standing committee on Municipal Corporations, to whom was referred S. B. No. 10—Mr. Marsh—To amend section 11 of chapter 8, to amend, revise and consolidate the statutes, relating to crimes and offences, and to repeal certain acts therein named, to be known as title 1 crimes and offences, part 4 of the act to consolidate and revise the general statutes of Ohio, having had the same under consideration, report it back with the recommendation that it be amended as follows:

Strike out all after the word "committed" in line 12, and recommend its passage as amended.

THEO. MARSH, LYMAN J. JACKSON,
G. M. SALTZGABER, G. W. WILSON,
JAMES B. STEEDMAN, R. G. RICHARDS.

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Saltzgaber submitted the following report:

The standing committee on Salaries and Fees of Public Officers to whom was referred S. B. No. 32—To regulate brokerage in certain cases, having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

To add after the word "sale" in line 2, "or exchange," and after the word "at" in line 4, "not exceeding," and after the word "sold" in line 5 the words "or the value of the property exchanged," and to omit and strike out section 2.

G. M. SALTZGABER, THEO. MARSH,
JAMES B. STEEDMAN, JOHN SEITZ,
G. W. WILSON, HYLAS SABINE.

The amendments were agreed to, and the bill ordered to be engrossed and read the third time to-morrow.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 123—Mr. O'Connor—To redistrict the cities of the second class.

H. B. No. 124—Mr. Hostetter—To amend section 7 of an act entitled "An act establishing boards of county commissioners and prescribing their duties," passed March 12, 1853, as amended April 27, 1877.

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Tyler the Senate took a recess.

THREE O'CLOCK P. M.

Mr. Forrest, on leave, introduced the following bill, which was read the first time:

S. B. No. 59—To amend section 13, of chapter 8, of an act entitled "An act to amend, revise, and consolidate the statutes relating to crimes and offences, and to repeal certain acts therein named, to be known as title 1, crimes and offenses, part 4, of the act to revise and consolidate the general statutes of Ohio," passed May 5, 1877, and to repeal section 14, of chapter 8, of said act.

Mr. Forrest, on leave, introduced the following bill, which was read the first time:

S. B. No. 60—To amend section 6, and repeal section 8 of chapter 6, of title 2, of an act entitled "An act to amend, revise and consolidate the statutes relating to criminal procedure," passed May 5, 1877.

Mr. Kelley moved to reconsider the vote by which S. B. No. 13 was passed.

Which was agreed to.

Mr. Richards moved that a message be sent to the House of Representatives requesting the return of S. B. No. 13.

Mr. Forrest moved that the motion be laid on the table.

Which was disagreed to.

The question recurring on Mr. Richards' motion;

The same was agreed to.

Mr. Armstrong submitted the following report:

The standing committee on Claims, to whom was referred S. R. No. 38——Mr. Owens—That fifteen days per diem, amounting to $75, be allowed Wm. P. Jackson for services rendered in assisting the clerks, having had the same under consideration, report it back, with the following amendments, and recommend its adoption when so amended:

That the word "fifteen" be stricken out, and "twelve" inserted, and that the words "seventy-five" be stricken out, and "sixty" inserted.

J. M. ARMSTRONG, J. B. WILLIAMS,
H. SABINE, D. D. BEEBE,
J. C. MCDONALD.

The amendments were agreed to.

The question being on the adoption of the resolution the yeas and nays were ordered, taken and resulted—yeas 25, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Johnston, Kelley, Lord, Marsh, McDonald, Owens, Richards, Sabine, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams, and Wilson—25.

Those who voted in the negative were—

Messrs. Forrest and Saltzgaber—2.

So the resolution was adopted.

Mr. Armstrong, on leave, introduced the following bill, which was read the first time:

S. B. No. 61—To amend "An act to amend section 489 of the code of civil procedure," (O. L. vol. 64, p. 20.)

On motion of Mr. Richards the Senate went int Coommittee of the Whole on S. B. No. 49, and after some time spent therein, arose, ported progress, and asked leave to sit again.

Which was granted.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the adoption of—

S. B. No. 17—With the following amendment: In section 1, line 6, strike out the words "in not more than," and insert "on or before the expiration of."

Attest: L. A. BRUNNER, *Clerk.*

The question being on concurring in said amendment, the yeas and nays were taken and resulted—yeas 26, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Jackson of Perry, Johnston, Kelley, Lord, Marsh McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—26.

So the amendment was concurred in.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House has acceded to the request of the Senate for the return of—

S. B. No. 13—Mr. Saltzgaber—To amend sections 3, 6 and 7 of an act entitled "An act to require mortgages or bills of sale of personal property to be deposited with township clerks," passed Feb. 24, 1846, (S. & C. p. 475), and to repeal an act supplementary thereto, passed and took effect April 30, 1877, (O. L., vol. 74, p. 149.)

And herewith return said bill.

Attest: L. A. BRUNNER, *Clerk.*

The question recurring on the passage of said S. B. No. 13.

Mr. Johnston moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 10 of section 1, between the words "name" and "which" insert the following: "together with the date of such mortgage, the date of filing the same, and the amount secured thereby;" and at the end of said section, add the following: "and when such mortgage shall be refiled or cancelled, the date of such refiling or cancellation shall be en-

tered upon such record in the margin thereof opposite the original entry of the same."

Mr. Curtiss moved that the further consideration of said bill be postponed until Tuesday next.

Which was agreed to.

On motion of Mr. Steedman, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

FRIDAY, FEBRUARY 1, 1878—10 o'clock, A. M.

The Senate met pursuant to adjournment.

Prayer by Rev. J. C. Jackson.

The Journal was read and approved.

Mr. Howland presented the petition of H. H. Webster and 100 other citizens of Montville township, Geauga county, for the passage of an act to relieve Newton Austin, as Treasurer of said township, which was referred to the committee on Corporations other than Municipal.

The following bills were read the second time and referred as follows:

S. B. No. 51—Mr. Sherrick—To authorize the council of (the city of) Canton, Ohio, to appoint a board of trustees to take charge of property bequeathed to the poor of said city, and hold the same in trust for them.

To committee on Judiciary.

S. B. No. 52—Mr. Owens—To repeal an act depriving citizens of the right to control their own local affairs, but entitled an act to secure to children the benefits of an elementary education, passed March 20, 1877, (O. L., vol. 74, pp. 57, 58 and 59.)

To committee on Common Schools and School Lands.

S. B. No. 53—Mr. Lord—To provide for the cleaning of streets in cities of the first class having a population of more than two hundred thousand, and to repeal an act therein named.

To committee on Municipal Corporations.

S. B. No. 54—Mr. Wilson—To amend section 6 of an act entitled "An act granting to guardians authority to improve the real estate of their wards, and to lease the same," passed April 11, 1876, (O. L., vol. 73, p. 207.)

To committee on Judiciary.

S. B. No. 55—Mr. Forrest—To provide for the better regulation of sales on execution and orders of sale.

To committee on Judiciary.

S. B. No. 56—Mr. Sabine—To authorize the board of education of school district number one, Paris township, Union county, Ohio, to borrow money to pay indebtedness incurred in building a school house, and levy a tax for said purpose.

To committee on Common Schools and School Lands.

S. B. No. 57—Mr. Saltzgaber—To change the time for holding the second term of the court of common pleas, in the counties of Mercer and Van Wert, for the year 1878.

To committee on Judiciary.

S. B. No. 58—Mr. Wagener—To amend an act entitled "An act supplementary to an act entitled an act for the incorporation of townships," passed April 24, 1877, (O. L., vol. 74, p. 109.)

To committee on Judiciary.

S. B. No. 59—Mr. Forrest—To amend section 13 of chapter 8 of an act entitled "An act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four, of the act to revise and consolidate the general statutes of Ohio, passed May 5, 1877, and to repeal section 14 of chapter 8 of said act."

To committee on Sanitary Laws and Regulations.

S. B. No. 60—Mr. Forrest—To amend section 6 and repeal section 8 of chapter 6 of title 2, of an act entitled "An act to amend, revise and consolidate the statutes relating to criminal procedure," passed May 5, 1877.

To committee on Judiciary.

S. B. No. 61—Mr. Armstrong—To amend an act to amend section 489 of the code of civil procedure, (O. L., vol. 64, p. 20.)

To committee on Judiciary.

Mr. Saltzgaber submitted the following report:

The committee on Revision has examined, and found correctly engrossed the following bills:

S. B. No. 10—By Mr. Marsh.

S. B. No. 32—By Mr. Armstrong.

J. M. Carson,
G. M. Saltzgaber,
J. C. Fisher.

S. B. No. 10—Mr. Marsh—To amend section 11 of chapter 8, to amend revise, and consolinate the statutes relating to crimes and offenses, and to repeal certain acts therein named, known as title one, crimes and offenses, part 4 of the act to revise and consolidate the general statutes of Ohio. passed May 5, 1877, (vol. 74, O. L., p. 268.)

Was read the third time.

Mr. Howland moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out section 2 and insert in line 2, section 1, after the word "wages" the words "sells or purchases any pools."

Which was agreed to, and Mr. Howland was appointed said committee.

Mr. Howland submitted the following report:

The select committee of one to whom was referred S. B. No. 10 by Mr. Marsh, with instructions to amend, reports the same back amended as instructed.

W. P. Howland.

Mr. Saltzgaber moved that the bill be referred to a select committee of one with instructions to amend as follows:

Strike out the word "sixty" where it occurs in line 8, and insert in lieu thereof, the word "ten."

Which was agreed to, and Mr. Saltzgaber was appointed said committee.

Mr. Saltzgaber, on leave, submitted the following report:

The select committee of one to whom was referred S. B. No. 10, with instructions to amend, reports the same back amended as instructed.

G. M. Saltzgaber.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 26, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Fisher, Grove, Howland, Jackson of Perry, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams, Wilson—26.

Mr. Forrest voted in the negative—1.

So the bill was passed. The title was agreed to.

S. B. No. 32—Mr. Armstrong—To regulate brokerage in certain cases.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 26, nays 0, as follows:

Those who voted in the affirmative were—

Messrs: Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Perry, Kelley, Krimmel, Marsh, McDonald, Owens, Richards, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams, Wilson—26.

So the bill was passed. The title was agreed to.

Mr. Beebe, on leave, introduced the following bill, which was read the first time:

S. B. No. 62—To provide for a book of "Omissions and Alterations" of records for County Recorders.

Mr. Carson, on leave, introduced the following bill which was read the first time:

S. B. No. 63—To authorize the Board of Education of Ada Union School District, of Ada, Hardin County, O., to issue bonds, and levy a tax for the payment of the same, to erect and furnish additional school buildings.

Mr. Carson submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred H. J. R. No. 17, requiring the Adjutant General to prohibit the stabling of horses, etc., in the basement of State House, and clean out said basement, having had the same under consideration, report it back, and recommend that it be indefinitely postponed.

J. M. Carson, G. A. Grove,
C. F. Krimmel, R. G. Richards,
D. Wagener, Thos. M. Beer.

The report was agreed to.

Mr. Beer submitted the following report:

The standing committee on Finance, to whom was referred S. B. No. 48—Mr. Parker—To authorize the city of Fremont to issue bonds and borrow money for the completion of city hall and fire engine house, having had the same under consideration, report it back, and recommend its passage.

Johnson Sherrick, H. C. Lord,
Irvine Dungan, J. M. Carson,
H. W. Curtiss, Thos. M. Beer.

The bill was ordered to be engrossed at the Clerk's desk and read the third time, and was then read.

Mr. Owens moved to refer the bill to a select committee of one, with instructions to amend as follows: "In line 6, section 1, strike out the word 'semi.'"

Which was agreed to, and Mr. Owens was appointed such committee.

Mr. Owens, on leave, submitted the following report:

The select committee of one to whom was referred S. B. No. 48, with instructions to amend, reports the same back amended as instructed.

J. W. OWENS.

Said amendment was agreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 28, nays 0, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Perry, Kelley, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams, Wilson—28.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills in which the concurrence of the Senate is requested:

H. B. No. 63—Mr. Hitchcock—For the relief of Newton Austin, Treasurer of Montville Township, Geauga County, Ohio.

H. B. No. 58—Mr. Washburn—To authorize the town council of the incorporated village of Waverly to borrow money and levy a tax.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills and joint resolutions:

H. B. No. 24—Mr. Wasson—To authorize the City Council of Gallipolis, Gallia County, O., to purchase a steam fire engine, and to issue bonds to pay for the same.

H. B. No. 28—Mr. Estill—To authorize the incorporated village of Millersburg, O., to transfer unappropriated funds.

H. B. No. 19—Mr. Leggett—To change the name of Cannonsburgh, Carroll County, O.

H. J. R. No. 10—Mr. Norton—Providing for the printing and binding of additional copies of the Secretary of State's reports for distribution among the members.

H. J. R. No. 16—Mr. Meuser—Providing for the appointment of a joint committee to adopt a plan for disposing of such work of the Codifying Commission as may be ready to bring before the General Assembly.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills and joint resolutions.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 125—Mr. Dalzell—to repeal an act to provide for the appointment of a Commissioner of Railroads and Telegraphs, and to prescribe his duties, passed April 5, 1867, amended April 25, 1873.

H. B. No. 126—Mr. Williams—To amend section 59 of an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869, (O. L., vol. 66, p. 59).

H. B. No. 127—Finance Committee—Making partial appropriations for the year 1878.

H. B. No. 128—Mr. Guthery—To authorize the Commissioners of Marion County to sell the present jail and site, and purchase a site upon which to erect a new jail and sheriff's residence.

H. B. No. 129—Mr. Reed, of Ross—Supplementary to an act entitled an act providing for converting toll roads, passed May 3, 1873, (O. L., vol. 70, p. 256).

H. B. No. 130—Mr. Bohl—For the better regulation of insurance companies, other than life and accident, issuing fire policies.

H. B. No. 131—Mr. Seifert—Relating to the Lincoln Soldiers' Memorial Monument.

H. B. No. 132—Mr. Harman—To provide for the agricultural interests of the State of Ohio.

H. B. No. 133—Mr. Hardy, of Coshocton—To amend an act entitled an act to amend section 3 of an act for the assessment and taxation of property in the State, and for levying taxes thereon according to its true value in money, passed April 5, 1869, as amended March 21, 1864.

H. B. No. 134—Mr. Ogelvee—Supplementary to the act entitled an act defining the jurisdiction and regulating the practice of Probate Courts, passed March 14, 1853, took effect July 1, 1853, (S. & C., p. 1212).

H. B. No. 135—Mr. Hardy, of Defiance—To authorize the Trustees of Defiance Township, Defiance County, to transfer certain funds therein mentioned.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Dungan submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled the following joint resolution:

H. J. R. No. 13—Directing the Superintendent of the Columbus Hospital for the Insane to receive Clark Tucker as a patient into said Hospital.

J. W. WASHBURN, IRVINE DUNGAN,
DUNCAN DOW, R. G. RICHARDS,
WM. JESSUP, J. R. JOHNSTON,
F. M. CARTER.

Mr. Dungan submitted the following report:

The joint committee on Enrollment have examined and found correctly enrolled the following bill:

S. B. No. 17—To authorize the incorporated village of Ashland, Ash-

land county, Ohio, to borrow money for the purchase of a steam fire engine.

IRVINE DUNGAN, J. W. WASHBURN,
R. G. RICHARDS, F. M. CARTER,
C. F. KRIMMEL, WM. JESSUP.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 136—Mr. Groschner—To divide Pleasant township, Henry county, into two election precincts.

H. B. No. 137—Mr. Leggett—Providing that real estate sold on execution or order of court shall be offered on the premises.

H. B. No. 138—Mr. McCoy of Lawrence—To fund the infirmary debt and to levy a tax to liquidate the same.

H. B. No. 139—Mr. Hardy of Defiance—To repeal an act entitled "An act to amend an amendment to an act supplementary to the several acts relating to the collections of delinquent taxes" passed April 6, 1874, and amended February 18, 1875, passed April 11, 1876, (O. L., vol. 73, p. 218).

H. B. No. 140—Mr. Maury—To amend section 45, chapter 8, of offenses against public policy, (O. L., 1877, v. 74, p. 273).

H. B. No. 141—Mr. Guthery—To authorize the Council of the incorporated village of Prospect, in Marion county, to issue bonds to buy a fire engine, and to build a fire engine house for the use of said village.

H. B. No. 142—Mr. Ellis—To authorize the Board of Education of special school district No. 1, of Carroll and Erie townships, in the county of Ottawa, Ohio, to issue bonds to build a school house and purchase a site.

H. B. No. 143—Mr. Hayman—To authorize the Board of Education of the city of Portsmouth to borrow money to complete a school house now being erected in said city, and to issue bonds to pay for the same.

H. B. No. 144—Mr. Scott—To amend an act to establish a uniform standard of weights and measures, passed April 5, 1859, as amended March 21, 1863, as amended February 21, 1873, (O. L. vol. 70, p. 39.)

H. B. No. 145—Mr. Dempcy—To prevent the introduction and spread of a cattle disease commonly known as Texas or Spanish fever, by the importation and introduction of cattle into the State of Ohio, affected with or liable to impart to other cattle said disease, and providing for the recovering of damages caused by the introduction of said cattle, from the owners of such cattle.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

S. B. No. 17—Mr. Beer—To authorize the incorporated village of

Ashland, Ashland county, Ohio, to borrow money for the purchase of a steam fire engine.

Attest: L. A. BRUNNER, *Clerk.*

The President, in the presence of the Senate, signed said bill.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The house of Representatives has passed the following bill in which the concurrence of the Senate is requested:

H. B. No. 18—Mr. Booth—To facilitate the administration of justice in the third sub-division of the Fifth Judicial District.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Grove asked and obtained leave of absence for the committee on Reform School and Industrial School for Girls for this afternoon and to-morrow.

Mr. Forrest, from the joint committee appointed pursuant to H. J. R. No. 16, made the following report:

The joint committee appointed under H. J. R. No. 16, with instructions to report such plan as may be deemed most feasable in disposing of such part of the word of the Codifying Commission, as may be prepared to bring, to the consideration of this Assembly, submit the following report:

W. T. FORREST,
JAMES W. OWENS,
JOSEPH R. JOHNSTON,
Senate Committee.

J. G. MEUSER,
J. B. WRIGHT,
G. H. NORTON,
J. F. OGLEVEE,
House Committee.

The report of the committee was adopted.

Mr. Wilson moved that the report of the committee be printed.

On which motion the yeas and nays were taken and resulted—yeas 21 nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Howland, Jackson of Perry, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Saltzgaber, Steedman, Tyler, Williams and Wilson—21.

Mr. Forrest voted in the negative—1.

So the motion was agreed to.

On motion of Mr. Wilson, the Senate took a recess.

THREE O'CLOCK P. M.

Mr. Howland, on leave, introduced the following bill, which was read the first time:

S. B. No. 64—Supplementary to an act entitled "An act to provide for the appointment of guardians for imbeciles." passed April 27, 1872, (69 vol. O. L., p 174).

Mr. Saltzgaber, on leave, introduced the following bill, which was read the first time:

S. B. No. 65—To aid in improving the drainage of the lands in and adjacent to the Scioto marsh, in Hardin county, Ohio.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled the following bills and joint resolutions:

H. B. No. 24—To authorize the City Council of Gallipolis, Gallia county, Ohio, to purchase a steam fire engine, and to issue bonds to pay for the same.

H. B. No. 28—To authorize the incorporated village of Millersburg, Ohio, transfer unappropriated funds.

H. B. No. 19—To change the name of Cannonsburgh, Carroll county, Ohio.

H. J. R. No. 10—Providing for the printing and binding of additional copies of the Secretary of State's Reports for distribution among the members.

H. J. R. No. 16—Providing for the appointment of a joint committee to adopt a plan for disposing of such work of the Codifying Commission as may be ready to bring before the General Assembly.

IRVINE DUNGAN, A. D. MARSH,
E. S. PERKINS, WM. JESSUP,
C. R. HARMON, F. M. CARTER,
J. W. WASHBURN,

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations to whom was referred H. B. No. 34—Mr. Clough—To authorize the Council of the incorporated village of Middletown to issue bonds for the purchase of grounds and the erection and completion of a town hall, engine and hose house and prison, having had the same under consideration, report it back and recommend its passage.

THEO. MARSH, G. A. GROVE,
R. G. RICHARDS, LYMAN J. JACKSON,
G. W. WILSON, G. M. SALTZGABER,
JAMES B. STEEDMAN.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Fisher submitted the following report:

The standing committee on Public Printing, to whom was referred S. J. R. No. 11—Directing the distribution of the remaining copies of the report of the Ohio State Board of Centennial Managers, having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

Strike out all after "as follows," in line 7, and insert, "fifty copies to the Historical and Philosophical Society, of Ohio, at Cincinnati; one

hundred and fifty copies to the Cincinnati Society of Natural History; one hundred copies to the Western Reserve and Northern Ohio Historical Society,at Cleveland; two hundred copies to the Archæological Society, of Ohio, at Columbus, and the remainder of said two thousand copies to be equally divided among the members of this General Assembly."

JOHN H. BENSON, LINDSEY KELLEY,
J. C. FISHER, J. M. ARMSTRONG,
J. M. CARSON, D. D. BEEBE.

The report of the committee was agreed to.

The question being on the adoption of the joint resolution, the yeas and nays were ordered, taken and resulted—yeas 22, nays none, as folows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Howland, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Sabine, Saltzgaber, Steedman, Stokes, Tyler, Wagener and Williams—22.

So the resolution was adopted.

Mr. Dungan submitted the following report:

The standing committee on Corporations other than Municipal, to whom was referred S. B. No. 46—To authorize the Licking county agricultural society to borrow money and issue bonds therefor, to pay debts, having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended:

In line 6, for "semi-annually," read "annually."

IRVINE DUNGAN, J. R. JOHNSTON,
J. SHERRICK, GEO. P. TYLER,
R. G. RICHARDS.

Said amendment was agreed to.

The bill was ordered to be engrossed and read the third time to-morrow.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time.

H. B. No. 146—Mr. Quinby—To authorize the village Council of the incorporated village of Sabine, Clinton county, Ohio, to issue and sell bonds to raise money to pay an existing indebtedness.

H. B. No. 147—Mr. Bohl—In relation to the names of insurance companies.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Dungan offered the following resolution:

S. J. R. No. 13—WHEREAS, The exhorbitant prices of school books are burdensome to the people of Ohio, and seriously impair the usefulness of our public schools; and,

WHEREAS, The copyright system enables a monopoly to be maintained by publishers; therefore,

Be it resolved by the General Assembly of the State of Ohio, That our Senators and Representatives in Congress are hereby requested to favor such change in the present laws of the United States as will prevent the copyrighting of any text books designed for use in the common schools, or the extension of any copyright now in force.

Resolved, That the Governor is hereby requested to transmit copies of this resolution to our Senators and Representatives in Congress.

On motion of Mr. Krimmel, said joint resolution was referred to the committee on Common Schools.

Mr. Benson offered the following joint resolution.

S. J. R. No. 14—WHEREAS, Certain interested parties are beseeching Congress to change the tariff on wool and woolen manufacturer's goods in such a manner as to promote the manufacturer's interest to the detriment and disadvantage of the wool growers of the United States; and,

WHEREAS, Time has demonstrated the wisdom and equity of what is known as the wool tariff of 1867, proving alike beneficial to the wool growers, manufacturers and consumers, and as this tariff meets the views of the Ohio wool growers more completely than any change in it will be likely to do, as expressed by the wool growers in their several recent conventions; therefore,

Be it Resolved by the General Assembly of the State of Ohio, That our Representatives and Senators of the United States, in Congress now assembled, be and hereby are respectfully solicited to exert their best endeavors to prevent any change in said tariff on wool and woolen goods enacted by Congress in 1867.

On motion of Mr. Benson, said joint resolution was referred to the committee on Manufactures and Commerce.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 30—To amend section 139 of an act entitled "An act of the jurisdiction and procedure before Justices of the Peace, and of the duties of Constables in civil courts," passed March 14, 1853, (51 v. Stat., 179, S. & C. 794), having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

Change the title so as to read: "To amend section 1 of an act entitled an act to amend section 139 of an act entitled an act of the jurisdiction and procedure before Justices of the Peace, and of the duties of Constables in civil courts, passed March 14, 1853, (Curwen, chap. 1204), passed March 11, 1872, (Sayler, chap. 2150), passed May 3, 1873, (O. L., v. 70, p. 259)."

And to add a section as follows:

"SEC. 2. That said section so amended be and the same is hereby repealed."

To change the number of "section 2," as shown in the original bill, to "section 3."

W. T. FORREST, G. M. SALTZGABER,
IRVINE DUNGAN, W. P. HOWLAND.

Said amendment was agreed to and the bill ordered to be engrossed and read the third time to-morrow.

Mr. Carlisle presented the petition of C. W. Speaks, Samuel Bartlett and 39 other citizens of Franklin county, for the preservation of canals of Ohio.

Which was referred to the committee on Public Works.

On motion of Mr. Forrest, the Senate resolved itself into Committee of the Whole for the consideration of S. B. No. 49.

After some time spent therein, the committee arose, reported progress, and asked leave to sit again.

Which was granted.

On motion of Mr. Marsh, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

SATURDAY, FEBRUARY 2, 1878—10 O'CLOCK A. M.

The Senate met pursuant to adjournment.

Prayer by Rev. J. C. Jackson.

The Journal was read and approved.

Bills were read the second time and referred as follows:

S. B. No. 62—Mr. Beebe—To provide for a book of "omissions and alterations" of records for County Recorders.

To committee on Judiciary.

S. B. No. 63—Mr. Carson—To authorize the Board of Education of Ada union school district of Ada, Hardin county, Ohio, to issue bonds and levy a tax for the payment of the same, to erect and furnish additional school buildings.

To committee on Common Schools and School Lands.

H. B. No. 63—Mr. Hitchcock—For the relief of Newton Austin, treasurer of Montville township, Geauga county, Ohio.

To committee on Corporations other than Municipal.

H. B. No. 58—Mr. Washburn—To authorize the town council of the incorporated village of Waverly to borrow money and levy a tax.

To committee on Municipal Corporations.

H. B. No. 18—Mr. Booth—To facilitate the administration of justice in the third sub-division of the fifth judicial district.

To committee on Judiciary.

S. B. No. 64—Mr. Howland—Supplementary to an act entitled "An act to provide for the appointment of guardians for imbeciles," passed April 27, 1872. (Ohio Laws, vol. 69, page 174.)

To committee on Judiciary.

S. B. No. 65—Mr. Saltzgaber—To aid in improving the drainage of the lands in and adjacent to the Scioto marsh, in Hardin county, Ohio.

To committee on Public Works and Public Lands.

Mr. Saltzgaber submitted the following report:

The committee on Revision has examined and found correctly engrossed the following bills:

S. B. No. 30—Mr. Saltzgaber.

S. B. No. 46—Mr. Owens.

G. M. SALTZGABER, J. C. FISHER,
J. M. CARSON.

H. B. No. 34—Mr. Clough—To authorize the council of the incorporated village of Middletown, to issue bonds for the purchase of grounds, and the erection and completion of a town hall, engine and hose house and prison.

Was read the third time.

The question bei g "Shall the bill pass?" the yeas and nays were demanded, taken and resulted—yeas 24, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Howland, Irvine, Joy, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Sabine, Saltzgaber, Steedman, Stokes, Tyler, Wagener and Williams--24.

So the bill was passed. The title was agreed to.

S. B. No. 64—Mr. Owens—To authorize the Licking county agricultural society to borrow money and issue bonds therefor to pay debts.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were demanded, taken, and resulted—yeas 24, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Howland, Irvine, Joy, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Sabine, Saltzgaber, Steedman, Stokes, Tyler, Wagener and Williams—20.

So the bill was passed. The title was agreed to.

S. B. No. 30—Mr. Saltzgaber—To amend section 139 of an act entitled "An act of the jurisdiction and procedure before justices of the peace, and of the duties of constables in civil courts," passed March 14, 1853. (51 vol. Statute, 179; Swan & Critchfield, 794.)

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were demanded, taken, and resulted—yeas 24, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Howland, Irvine, Joy, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Sabine, Saltzgaber, Steedman, Stokes, Tyler, Wagener, and Williams—24.

So the bill was passed. The title was agreed to.

Mr. Curtiss, on leave, introduced the following bill, which was read the first time:

S. B. No. 66—To amend section 313 of the code of civil procedure, as amended May 3d, 1877, (O. L. vol. 74, page 161.)

Mr. Beebe, on leave, introduced the following bill, which was read the first time:

S. B. No. 67—To amend sections 1 and 3 of an act fixing the price of legal advertising, passed March 25, 1876, (O. L. 1876, page 75.)

Mr. Armstrong, on leave, introduced the following bill, which was read the first time:

S. B. No. 68—Relative to indexing pending suits and executions not dormant.

Mr. Parker submitted the following report:

The standing committee on State Buildings, to whom was referred S. R. No. 33--Mr. Carlisle—Instructing said committee to make the needed examination and report what means, if any, can be provided, and the probable cost of same, to better ventilate the Senate Chamber—having had the same under consideration, report it back, with the following report:

Report of J. T. Harris & Co., architects:

The bid of J. T. Harris & Co. for completing said work of ventilating is $1,376.80, and for the boilers, $2,961.00.

C. S. PARKER, J. M. ARMSTRONG,
W. H. STOKES, LINDSEY KELLEY.

On motion of Mr. Howland the report was referred back to the committee on Public Buildings with instructions to report by resolution or bill.

Mr. Krimmel submitted the following report:

The standing committee on Benevolent Institutions, to whom was referred S. B. No. 4—Mr. Fisher—Relating to the infirmary of Coshocton county—having had the same under consideration, report it back and recommend its passage.

C. F. KRIMMEL, THEO. MARSH,
GEO. P. TYLER, B. W. CARLISLE,
H. W. CURTISS, D. D. BEEBE.

Said bill was ordered to be engrossed at the Clerk's desk and read the third time.

The bill was then read.

The question being "Shall the bill pass?" the yeas and nays were demanded, taken, and resulted—yeas 25, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Howland, Irvine, Joy, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Sabine, Saltzgaber, Steedman, Stokes, Tyler, Wagener and Williams—25.

So the bill was passed. The title was agreed to.

Mr. Benson offered the following resolution, which was adopted:

S. R. No. 39—*Resolved*, That the Senate constitute and appoint a standing committee on drains and drainage.

The President appointed Messrs. Benson, Stokes, McDonald, Jackson of Clinton and Irvine, as such standing committee.

Mr. Tyler offered the following resolution, which was adopted:

S. R. No. 40—*Resolved*, That the entire clerical force of the Senate be obliged to occupy a position on the floor of the Senate Chamber, and that the door leading to the stairway, on the south side of the Senate Chamber, bekept closed.

On motion of Mr. Forrest, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk*.

MONDAY, FEBRUARY, 4, 1878—10 o'clock A. M.

The Senate met pursuant to adjournment.

Prayer by the Rev. J. C. Jackson.

The Journal was read and approved.

Bills were read the second time and referred as follows:

S. B No. 66—Mr. Curtiss—To amend section 313 of the code of civil procedure, as amended May 3, 1877, (O. L., vol. 74, p. 161.)

To Committee on Judiciary.

S. B. No. 67—Mr. Beebe—To amend sections 1 and 3 of an act fixing the rate of legal advertising, passed March 25, 1876, (O. L., 1876, p. 75.)

To Committee on Public Printing.

S. B. No. 68—Mr. Armstrong—Relating to indexing pending suits and executions not dormant.

To Committee on Judiciary.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 27—To amend an act entitled "An act to incorporate the Beverly College, at Beverly," passed February 28, 1843, (Vol. 41, Local Laws, p. 92), having had the same under consideration, report it back as follows:

In our opinion the bill is a special act conferring corporate powers, and is therefore unconstitutional.

W. T. Forrest, Irvine Dungan,
W. P. Howland, G. M. Saltzgaber.

On motion of Mr. Howland, the report was laid on the table.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 58—Mr. Wagener—To amend an act entitled "An act supplementary to an act entitled an act for the incorporation of townships," passed April 24, 1877, (O. L., vol. 74, p. 109,) having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended:

Insert after the word "thereto," in line 12, the words, "And provided further, that said petition shall not be heard and acted upon until notice shall have been first given to such city or incorporated village of the pendency and prayer of said petition, and when the same shall be heard, which notice shall be served at least ten days before said hearing, upon the Mayor or President of the Council of such city or incorporated village."

W. T. Forrest, Irvine Dungan,
G. M. Saltzgaber, W. P. Howland.

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 7—Relating to juries in certain counties, having had the same under consideration, report it back and recommend its indefinite postponement.

W. T. Forrest. G. M. Saltzgaber,
W. P. Howland, Irvine Dungan.

Said report was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 33—Mr. Clough—To authorize the Commissioners of Butler county to borrow money on the bonds of the county.

H. B. No. 44—Mr. Sextro—To provide for the reorganization, government and better regulation of Longview Asylum, and to repeal certain acts therein named.

H. B. No. 127—The Finance Committee—Making partial appropriations for the year 1878.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 148—Mr. Hostetter—To provide for keeping in repair the gravel and macadimized and volunteer roads located and constructed under the laws of the State, and to repeal certain acts therein named:

H. B. No. 149—Mr. Bohl—To amend an act entitled "An act to regulate companies doing insurance business in the State of Ohio," passed April 27, 1872; amended April 24 1873.

H. B. No. 150—Mr. Hostetter—To amend section one of an act entitled "An act to exempt specific articles of personal property from execution," passed April 16, 1873, (O. L., vol. 70, p. 132).

H. B. No. 151—Mr. McCoy, of Wayne—To amend section six of an act entitled, "An act to amend an act to exempt the homestead of families from forced sale of execution to pay debts," passed March 23, 1850; passed April 9, 1869, (L. of O., p. 48).

H. B. No. 152—Mr. Wright—To refund certain moneys received from the Little Miami Elevator Company.

H. B. No. 153—Mr. Bohl—To prevent the making and publication of false and deceptive statements in relation to the business of Fire Insurance.

H. B. No. 154—Mr. Herrick—To authorize the Commissioners of Loraine county to invest surplus funds in United States Registered Bonds.

H. B. No. 155—Mr. Clough—To authorize the council of the village of Middletown, Butler county, Ohio, to make a contract with the Middletown Gas Company for lighting streets, alleys and public buildings for a period not to exceed ten years, and to levy taxes to pay the cost as it becomes due by the terms of the said contract.

H. B. No. 156—Mr. Kellogg—To amend an act entitled "An act for the better security of head contractors, sub-contractors and material men, and repeal certain sections therein named," passed May 4, 1877.

H. B. No. 157—Mr. Foster—To prevent and punish fraud as to making and sale of butter and cheese.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the adoption of the following joint resolution:

S. J. R. No. 11—Mr. Fisher—Directing the distribution of the re-

maining copies of the Report of the Ohio State Board of Centennial Managers.

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Tyler, the Senate took a recess.

THREE O'CLOCK P. M.

Mr. Forrest submitted the following report:

The standing committee on Currency, to whom was referred S. B. No. 50—A bill to make the silver coins of the United States a legal tender, having had the same under consideration, report it back and recommend its passage.

W. T. FORREST, LINDSEY KELLEY,
B. W. CARLISLE, J. C. MCDONALD,
JAMES B. STEEDMAN.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Carlisle offered the following resolution:

S. J. R. No. 15—Authorizing the printing of additional copies of the report made to the Governor, by Prof. Tuttle, on Hog Cholera.

Be it resolved by the General Assembly of the State of Ohio, That the Supervisor of Public Printing be directed to have printed and distributed among the members of this General Assembly ten thousand copies of the report on Hog Cholera, made to the Governor of Ohio by Prof. A. H. Tuttle, in addition to the number already printed.

Mr. Saltzgaber moved that the resolution be referred to the committee on Public Expenditures.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the adoption of the following joint resolution:

S. J. R. No. 8—Mr. Howland.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution in which the concurrence of the Senate is requested:

H. J. R. No. 21—Mr. Bloom—Authorizing the committee raised by S. J. R. No. 10 to employ a phonographic reporter.

Attest: L. A. BRUNNER, *Clerk.*

The question being on the adoption of the joint resolution, the yeas and nays were taken and resulted—yeas 24, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Howland, Joy, Kelley, Krimmel, Lord, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Stokes, Tyler, Williams and Wilson—24.

So the resolution was adopted.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 158—Mr. Crossley—To amend section 9 of an act entitled "An act to authorize the boards of county commissioners to lay out and establish free turnpike roads, and to repeal certain acts therein named," passed March 29, 1875, (S. & S., vol. 4, p. 346).

H. B. No. 159—Mr. Reimer—To authorize a special school district in Harrison township, Van Wert county, Ohio.

H. B. No. 160—Mr. Sextro—To amend an act entitled "An act relating to cities of the first class having a population exceeding 150,000 inhabitants," passed May 4, 1869.

H. B. No. 161—Mr. Johnson—To create a sub-school district in Dover township, Tuscarawas county, out of territory within the Dover Union school district in said county.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 162—Mr. Klimper—To amend section 3 of the act of April 6, 1870, entitled "An act limiting the compensation of certain officers herein named," (vol. 67, p. 36, O. L.).

H. B. No. 163—Mr. Stubbs—To authorize the vacation of abandoned turnpikes and plank roads, and their establishment as county roads.

H. B. No. 164—Mr. Dow—To amend an act entitled "An act supplementary to an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio," passed May 1, 1852, passed April 15, 1867, (S. & S., 186,) as amended February 25, 1869, (O. L., vol. 66, p. 11,) as amended April 20, 1874, (O. L., vol. 71, p. 161,) as amended April 11, 1876, (O. L., vol. 73, p. 188), as amended March 12, 1877, (O. L., vol. 74, p. 38).

H. B. No. 165—Mr. White—Supplementary to an act entitled "An act to provide for the creation and regulation of incorporated companies in the State of Ohio," passed May 1, 1852.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 166—Mr. Seifert—To divide Grenfield township, Fairfield county, into two election precincts.

H. B. No. 167—Mr. Worley—To transfer territory from Paris special school district to Paris township school district, Stark county, Ohio.

H. B. No. 168—Mr. Bohl—To amend an act entitled "An act to require inn and boarding house keepers to provide suitable and efficient fire escapes."

H. B. No. 169—Mr. Wales—For the relief of sureties of Charles E. Spence, Treasurer of Hamilton township, Warren county, Ohio.

H. B. No. 170—Mr. Williamson—Supplementary to an act to amend an act entitled "An act to provide for the settlement of estates of deceased persons," passed March 23, 1840, passed March 10, 1849, (S. & C., vol. 1, p. 614).

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 1—Mr. Norton—To amend sections 1, 3, 4, 5, 10, 11, 14, 16, 17, 18, 19, 22, 23, 25, 27, 33, 35, 36 and 38 of chapter 2, of the act entitled "An act to consolidate and revise the statutes relating to jails and the Penitentiary, to be known as part 2, title 3, jails and the Penitentiary," passed May 5, 1877, (O. L., vol. 74) and supplementary to sections 39 and 40 of said chapter 2, and to repeal said original sections 1, 3, 4, 5, 10, 11, 14, 16, 17, 18, 19, 22, 23, 25, 27, 33, 35, 36 and 38.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 32—Mr. Oglevee—To amend section 436 of the code of civil procedure, as passed March 11, 1853, took effect June 1, 1853, (51 vol. Stat., 57) as amended and took effect April 6, 1859, (56 vol. Stat., p. 242, S. & C., p. 1074).

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 49—Mr. Ellis—To authorize the incorporated village o Port Clinton, Ohio, to transfer funds.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

On motion of Mr. Forrest, the Senate went into committee of the Whole for the consideration of S. B. No. 49.

After some time spent therein, arose, reported progress and asked leave to sit again.

Which was granted.

Mr. Richards submitted the following report:

The standing committee on Schools and School Lands, to whom was referred S. B. No. 63—Mr. Carson—To authorize the Board of Education of Ada Union school district, Ada, Hardin county, Ohio, to issue bonds and levy a tax for the payment of the same, to erect and furnish additional school buildings, having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

In section 1, line 4, strike out the word "five."

In line 5, of same section, strike out the word "eight," and insert "seven."

Section 10, at the end of said section, add the following: "Provided, that after said vote is taken, as provided for by this act, and if carried in favor of issuing said bonds, the said proprietors of the Northwestern Ohio Normal School shall make a good and sufficient warranty deed, for the lands upon which the said buildings shall be erected, to the Board of Education of said Ada Union school district.

Also, strike out section 11, and that section 12 be numbered section 11.

J. M. Carson, R. G. Richards,
Thos. M. Beer, H. C. Lord,
C. F. Krimmel.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time now, and was then read.

Mr. Forrest moved that the bill be referred to a select committee of one, with instructions to amend as follows: Strike out in lines 11 and 12, section 1, the words, "payable at the Ninth National Bank, New York city."

Which was agreed to, and Mr. Forrest was appointed such select committee.

Mr. Forrest, on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No. 63, with instructions to amend, reports the same back amended as instructed.

W. T. Forrest.

Said report was agreed to.

Mr. Howland moved to refer to a select committee of one, with instructions to amend, by inserting at the end of section 10 the following, to-wit: "Before said building is commenced; and the entire control of said school shall be and forever remain in the Board of Education of said Union school district."

Which was agreed to, and Mr. Howland was appointed such select committee.

Mr. Howland, on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No. 63, with instructions to amend, reports the same back amended as instructed.

W. P. Howland.

Mr. Richards moved that the further consideration of said bill be postponed until Wednesday next.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 28—Mr. Forrest—To authorize compensation to be paid members of the Board of Equalization and their assistants.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 118—Mr. Klimper—Supplementary to the act entitled "An act to create a Board of Public Works in certain cities having a population of one hundred and fifty thousand and upwards at the last Federal census," passed March 17, 1876.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill in which the concurrence of the Senate is requested:

H. B. No. 51—Mr. Clough—To authorize the Board of Education of Union township, Butler county, Ohio, to issue bonds to build a school house in sub-district No. 7.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the adoption of the following joint resolution:

S. J. R. No. 9—Mr. Steedman—For the continuance of provision for youthful offenders committed from the State at large to the Toledo House of Refuge and Correction.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

H. B. No. 34—Mr. Clough—To authorize the council of the incorpor-

ated village of Middletown, to issue bonds for the purchase of grounds and the erection and completion of a town hall, engine and hose house, and prison.

Attest: L. A. Brunner, *Clerk.*

The President *pro tem.*, in the presence of the Senate, signed said bill.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 73—Mr. Crosson—To amend the third section of an act entitled "An act defining the jurisdiction and regulating the practice of probate courts," passed March 14, 1853, as amended April 9, 1863, (S. & S., p. 626).

H. B. No. 3—Mr. Dodds—To establish a Board of Fire Commissioners in cities of the first class having a population of two hundred thousand and over, to repeal section 14 of an act therein named, and for other purposes.

Attest: L. A. Brunner, *Clerk.*

Said bills were read the first time.

On motion of Mr. Carlisle, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

Tuesday, February 5, 1878—10 o'clock A. M.

The Senate met pursuant to adjournment.

Prayer by Rev. T. R. Taylor.

The Journal was read and approved.

Mr. Jackson, of Clinton, presented the petition of David Jay and 87 other citizens of Clinton County, for the protection of quails.

Which was referred to the Committee on Agriculture.

Mr. Owens presented the petition of A. M. Dennis and 432 other citizens of Licking County, laboring men, praying for the passage of Senate Bills Nos. 19 and 20.

Which was referred to the Committee on Judiciary.

Mr. Williams presented the petition of William Floyd and 85 other citzens of Guernsey County, who are railroad laborers, praying for the passage of Senate Bills Nos. 19 and 20.

Which was referred to the Committee on Judiciary.

Bills were read the second time and referred as follows:

H. B. No. 33—Mr. Clough—To authorize the Commissioners of Butler County to borrow money on the bonds of the county.

To Committee on Corporations other than Municipal.

H. B. No. 44—Mr. Sextro—To provide for the reorganization, government, and better regulation of Longview Asylum, and to repeal certain acts therein named.

To special committee of four—the Senators from Hamilton County.

H. B. No. 127—Finance Committee—Making partial appropriations for the year 1878.

To Committee on Finance.

H. B. No. 1—Mr. Norton—To amend sections 1, 3, 4, 5, 10, 11, 14, 16, 17, 18, 19, 22, 23, 25, 27, 33, 35, 36 and 38 of chapter 2 of the act entitled an act to consolidate and revise the Statutes relating to jails and the penitentiary, to be known as part 2, title 3, jails and the penitentiary, passed May 5, 1877, (O. L., vol. 74,) to and supplementary to sections 39 and 40, to said chapter 2, and to repeal said original sections 1, 3, 4, 5, 10, 11, 14, 16, 17, 18, 19, 22, 23, 25, 27, 33, 35, 36 and 38.

To Committee on Penitentiary.

H. B. No. 32—Mr. Oglevee—To amend section 436 of the code of civil procedure, as passed March 11, 1853, took effect June 1, 1853, (51 volume Statutes, 57,) as amended and took effect April 6, 1859, (56, page 242; Swan & Critchfield, page 1074.)

To Committee on Judiciary.

H. B. No. 49—Mr. Ellis—To authorize the incorporated village of Port Clinton, Ohio, to transfer funds.

To Committee on Municipal Corporations

H. B. No. 118—Mr. Klimper—Supplementary to the "act entitled an act to create a Board of Public Works in certain cities having a population of 150,000 and upwards at the last federal census, passed March 17, 1876.

To Committee on Municipal Corporations.

H. B. No. 51—Mr. Clough—To authorize the Board of Education of Union Township, Butler County, Ohio, to issue bonds to build a school house in sub-District No. 7.

To committee on Common Schools and School Lands.

H. B. No. 73—Mr. Crosson—To amend the 8th section of an act entitled "an act defining the jurisdiction and regulating the practice of Probate Courts," passed March 14, 1853, as amended April 9, 1863, (Swan & Sayler, page 626).

To Committee on Judiciary.

H. B. No. 3—Mr. Dodds—To establish a Board of Fire Commissioners in cities of the first class having a population of 200,000 and over, to repeal section 14 of an act therein named, and for other purposes.

To select committee of four—the Senators from Hamilton County.

S. B. No. 58—Mr. Wagener—To amend an act entitled an act supplementary to an act entitled an act for the incorporation of townships, passed April 24, 1877, (O. L., 74, page 109.)

Was read the third time.

Mr. Marsh moved that said bill be laid upon the table.

Which was disagreed to.

Mr. Johnston moved that the bill be referred to a select committee of one, with instructions to amend as follows:

In line 7 of section 1, after the word "any," strike out the word "territory," and insert the word "township."

Sec. 2. That said act be, and the same is hereby, repealed.

Change section 2 to section 3.

Which was agreed to, and Mr. Johnston was appointed said select committee.

Mr. Johnston, on leave, submitted the following report:

The select committee of one to whom was referred Senate Bill No. 58, with instructions to amend, reports the same back amended as instructed.

J. R. JOHNSTON.

The question being, "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 20, nays 11, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carson, Curtiss, Dungan, Forrest, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, McDonald, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Wagener, Williams—20.

Those who voted in the negative were—

Messrs. Benson, Fisher, Grove, Jackson of Perry, Krimmel, Marsh, Owens, Parker, Sherrick, Tyler, Wilson—11.

So the bill was passed. The title was agreed to.

S. B. No. 50—Mr. Dungan—To make silver coins of the United States a legal tender, (U. S. Constitution, Article 1, section 10.)

Was read the third time.

Mr. Wilson moved to recommit the bill to a select committee of one, with instructions to amend the same by striking out of section 1 all after the word "Ohio," in the 4th line thereof.

Which was disagreed to.

Mr. Seitz moved to reconsider the vote by which Mr. Wilson's motion to recommit was disagreed to.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 11, nays 22, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley, Richards, Sabine, Seitz, Stokes, Wilson—11.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Saltzgaber, Sherrick, Steedman, Tyler, Wagener, Williams—22.

So the motion to reconsider was disagreed to.

Mr. Forrest moved that the bill be referred to a select committee of one, with instructions to amend as follows: Strike out the word "fifty," in line 6, and insert therefor the word "five."

Mr. Steedman demanded a division of the question.

On motion of Mr. Richards, the Senate took a recess.

THREE O'CLOCK P. M.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following joint resolution:

S. J. R. No. 9—For the continuance of provision for youthful offenders committed from the State at large to the Toledo House of Refuge and Correction.

IRVINE DUNGAN, J. A. JOHNSTON,
C. F. KRIMMEL, A. D. MARSH,
R. G. RICHARDS, J. W. WASHBURN,
F. W. CARTER.

The question being on the motion to strike out, Mr. Forrest moved that said S. B. No. 50 be laid upon the table, and made the special order for the day for Tuesday, March 5, 1878, at 10 o'clock a. m.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bill has been introduced in the House of Representatives and read the first time:

H. B. No. 171—Mr. McCoy, of Lawrence—Authorizing the County Commissioners of certain counties in the State of Ohio to levy an additional poor tax.

H. B. No. 172—Mr. Leggett—To amend an act entitled an act providing for the election of coroners and sheriffs, and fixing their terms of office, passed and took effect April 11, 1858.

H. B. No. 173—Mr. Mack—For the protection of livery stable keepers.

H. B. No. 174—Mr. Johnson—To authorize the commissioners of Tuscarawas County to build one or more bridges within the corporate limits of the village of New Comerstown, in said county.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 175—Mr. Wolf— To amend an act entitled an act to amend the 4th, 5th and 6th sections of an act passed April 30, 1852, entitled an act to provide for the election of prosecuting attorneys, and prescribing their duties, as amended April 30, 1862, passed April 13, 1865, as amended March 17, 1873, (O. L. volume 70, page 67).

H. B. No. 176—Mr. Sextro—To amend an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869.

H. B. No. 177—Mr. Groschner—To relieve hard times and save the people from bankruptcy.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives requests the return of H. B. No. 118—Mr. Klimper.

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Sherrick, the request of the House of Representatives was acceded to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill:

S. B. No. 46—Mr. Owens—To authorize the Licking County Agricultural Society to borrow money and issue bonds therefor, to pay debts.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 37—Mr. Wright—To punish the offense of advertising for divorces.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following joint resolutions:

S. J. R. No. 8—Mr. Howland—Providing for constructing a direct passage between the two Houses, and to fit up a committee room.

S. J. R. No. 11—Mr. Fisher—Directing the distribution of the remaining copies of the report of the Ohio State Board of Centennial Managers.

Attest: L. A. BRUNNER, *Clerk.*

The President, in the presence of the Senate, signed said joint resolutions.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following joint resolution:

H. J. R. No. 21—Mr. Bloom—Authorizing the committee raised by S. J. R. No. 10 to employ a phonographic reporter.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said joint resolution.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill in which the concurrence of the Senate is requested:

H. B. No. 114—Mr. Parker—To create a special school district in Lewis township, Brown county, Ohio.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 178—Mr. Dalzell—To provide for the appointment of a commission to inquire into and report upon sinecures and salaries.

H. B. No. 179—Mr. Hitchcock—To authorize the Trustees of Munson township, Geauga county, Ohio, to sell centain lands.

H. B. No. 180—Mr. Dow—Supplementary to the code of civil procedure.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Johnston moved that S. B. No. 13 be taken from the table.

Which was agreed to.

The question recurring on agreeing to the committment of a select committee with instructions to amend.

The same was agreed to.

Mr. Johnston, on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No. 13, with instructions to amend, reports the same back amended as instructed.

J. R. JOHNSTON.

Said amendments were agreed to.

Mr. Richards moved that the bill be referred to a select committee of one, with instructions to amend as follows:

Insert after the words "the same," at the end of section 3, the following: "Provided that if the party depositing such mortgage shall desire the same recorded, it shall be the duty of such Recorder or Clerk also to record the same at the expense of the person depositing such mortgage, in a book to be provided for that purpose, at the expense of the township; and he shall be entitled to receive therefor from the person depositing such chattel mortgage, ten cents per one hundred words; and when any such mortgage or bill of sale is refiled for the purpose of extending the lein as provided by law, such Recorder or Clerk shall enter on the margin of such record any affidavit, credit or statement which may have been placed thereon since it was recorded, and he shall receive therefor the further sum of twenty-five cents. A certified copy of such record shall be received as evidence in all courts of this State; and where such mortgage or bill of sale shall have been satisfied, the party holding the same shall forthwith notify the Recorder or Clerk of the fact, and said Clerk shall, without delay, note such cancellation and satisfaction of such chattel mortgage or bills of sale upon the margin of the record thereof, without charge therefor.

Which was agreed to, and Mr. Richards was appointed said select committee.

Mr. Richards, on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No. 13, with instructions to amend, reports the same back amended as instructed.

R. G. RICHARDS.

The question being, "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 31, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Krimmel, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—31.

So the bill was passed. The title was agreed to.

Mr. Krimmel submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled the following joint resolutions:

S. J. R. No. 8—Providing for constructing a direct passage between the two Houses, and to fit up a committee room.

S. J. R. No. 11—Directing the distribution of the remaining copies of the report of the Ohio State Board of Centennial Managers.

C. F. KRIMMEL, R. G. RICHARDS,
A. D. MARSH, WM. JESSUP,
E. S. PERKINS, DUNCAN DOW,
IRVINE DUNGAN.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following joint resolution:

S. J. R. No. 9—Mr. Steedman—For the continuance of provisions for youthful offenders committed from the State at large to the Toledo House of Refuge and Correction.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said joint resolution.

Mr. Saltzgaber offered the following joint resolution:

S. J. R. No. 16.—Relative to providing better ventilation for the State House.

WHEREAS, The present method of ventilating the State Capitol is by means of impure air drawn from the basement of the building, where is generated foul and noxious gases, thereby causing sickness of the occupants of the building; therefore—

Be it resolved by the General Assembly of the State of Ohio, That the Senate Committee on State Buildings, and the House Committee on Public Buildings and Lands, be and they are hereby appointed a joint committee for the purpose of employing competent and necessary labor, and causing to be constructed and put into place the necessary material and means for procuring pure air and properly ventilating the State House building.

Resolved, That said committee be, and they are hereby instructed to immediately carry out the purpose of the foregoing resolution; provided, that the total expense incurred for such improvement shall not exceed the sum of fourteen hundred dollars.

Mr. Sherrick moved that said resolution be referred to the committee on State Buildings.

Which was agreed to.

Mr. Steedman offered the following joint resolution:

S. J. R. No. 17—Proposing an amendment of section eighteen of the schedule of the Constitution relative to the provision as to intoxicating liquors.

Be it resolved by the General Assembly of the State of Ohio, (three-fifths of all the members elected to each House concurring therein,) That a proposition to amend the Constitution of the State of Ohio be submitted to the electors of the State of Ohio, on the Second Tuesday of October, A. D. 1878, as follows, to-wit:

That section eighteen of the schedule of the Constitution be so amended as to read as follows:

License to traffic in spirituous vinous or malt liquors, under such regulations and limitations as shall be prescribed by law, may be granted, but this section shall not prevent the General Assembly from passing laws to restrict such traffic, and to compensate injuries resulting therefrom.

At said election the voters desiring to vote in favor of the adoption of this amendment shall have placed upon their ballots the words "License, Yes;" the voters who do not favor the adoption of said amendment shall have placed upon their ballots the words "License, No."

On motion of Mr. Steedman, said joint resolution was referred to the committee on Judiciary.

Mr. Carlisle submitted the following report:

The standing committee on Roads and Highways, to whom was referred S. R. No. 37—Mr. Joy—To amend an act entitled "An act to amend section twenty-one of an act passed April 8, 1868, (Chap. 1328,) entitled an act to amend sections eighteen and twenty-one of the act relating to roads and highways," passed March 9, 1868, (Chap. 1352,) having had the same under consideration report it back and recommend its indefinite postponement.

B. W. Carlisle, John H. Benson,
Thos. S. Jackson, Lindsey Kelley,
F. C. McDonald, J. B. Williams.

Said report was agreed to.

Mr. Owens offered the following resolution, which was adopted:

S. R. No. 41—*Resolved*, That the Adjutant-General be, and he is hereby requested to report to this body, giving an itemized statement of claims made against the State for transporting militia during the late strike, who make said claims, and the rate of fare charged per mile by various railroads in the State, and what, if any, railroads making such charges were protected by such troops.

On motion of Mr. Sherrick the Senate went into committee of the whole for the consideration of S. B. No. 49, and after some time spent therein, arose, reported progress, and asked leave to sit again.

Which was granted.

On motion of Mr. Joy, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk*.

WEDNESDAY, FEBRUARY 6, 1878—10 o'CLOCK A. M.

The Senate met pursuant to adjournment.

Prayer by Rev. T. R. Taylor.

The Journal was read and approved.

The President laid before the Senate a communication from the City Clerk of the city of Cincinnati, transmitting a resolution of the City Board of Councilmen, asking for the passage of a law authorizing them to issue bonds of said city to the amount of $50,000 to erect a central police station.

Which, on motion, was referred to a select committee of four—the Senators from Hamilton county.

Bills were read the second time and referred as follows:

H. B. No. 37—Mr. Wright—To punish the offense of advertising for divorces.

To committee on Judiciary.

H. B. No. 114—Mr. Parker—To create a special school district in Lewis township, Brown county, Ohio.

To the committee on Common Schools and School Lands.

The further consideration of—

S. B. No. 63—Mr. Carson—To authorize the board of education of Ada union school district of Ada, Hardin county, Ohio, to issue bonds and levy a tax for the payment of the same to erect and furnish additional school buildings, was resumed.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Kelley, Krimmel, Marsh, Richards, Sabine, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—24.

Those who voted in the negative were—

Messrs. Owens and Seitz—2.

So the bill was passed.

Mr. Carson moved to strike from the title, the preamble.

Which was agreed to.

The title, as amended, was agreed to.

Mr. Dungan submitted the following report:

The joint committee on Enrollment have examined and found correctly enrolled the following bill:

H. B. No. 34—Mr. Clough—To authorize the council of the incorporated village of Middletown to issue bonds for the purchase of grounds and the erection and completion of a town hall, engine aud hose house and prison.

A. D. MARSH,	F. M. CARTER,
WM. JESSUP,	E. S. PERKINS,
C. F. KRIMMEL,	R. G. RICHARDS,
C. R. HARMON,	IRVINE DUNGAN.

Mr. Dungan submitted the following report:

The joint committee on Enrollment have examined and found correctly enrolled, the following joint resolution:

Wednesday, February 6, 1878.

H. J. R. No. 21—Authorizing the committee raised by S. J. R. No. 10. to employ a phonographic reporter.

J. W. Washburn. C. R. Harmon,
E. S. Perkins, F. M. Carter,
Wm. Jessup, Irvine Dungan,
R. G. Richards.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 61—Mr. Armstrong—To amend an act to amend section 489 of the code of civil procedure, (O. L., vol 64, page 20.)—having had the same under consideration, report it back with the following amendments, and recommend its passage when so amended:

Strike out the word "appearance," in line 10, and insert the word "execution."

Insert after the word "and," in line 14, the words "if said judgment is paid, stayed or appealed within ten days, then the costs for."

Insert after the word "shall," in like 16, the word "appeal."

W. T. Forrest, G. M. Saltzgaber,
W. P. Howland, D. Wagener.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Forrest submitted the following report:

The standing committee on Judiciary to whom was referred S. B. No. 64—Mr. Howland—Supplementary to an act entitled "An act to provide for the appointment of guardians for imbeciles," passed April 27, 1872. (69 v. O. L., p. 174.) having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

Insert after the word "bond," in line 16, of section 1, the words "in double the appraised value of the property to be sold."

Also, insert, after the word "court," in line 10, of section 2, the words "in double the amount of any money, or property to be received under such contract."

W. T. Forrest, G. M. Saltzgaber,
W. P. Howland, D. Wagener,
Lyman J. Jackson.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 57—Mr. Saltzgaber—To change the time of holding the second term of the court of common pleas, in the counties of Mercer and Van Wert, for the year 1878—having had the same under consideration, report it back, and recommend its passage.

W. T. Forrest, G. T. Saltzgaber,
W. P. Howland, Lyman J. Jackson.

The report of the committee was agreed to, and the bill was ordered to be engrossed and read the third time now.

The bill was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Kelley, McDonald, Owens, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—22.

So the bill was passed. The title was agreed to.

Mr. Carlisle presented the petition of L. C. Steenrod, William Comstock and 222 other citizens of Athens county, praying for the protection and improvement of the canals of the State.

Which was referred to the committee on Public Works.

Mr. Seitz asked and obtained leave of absence for the select committee on the penitentiary investigation for to-day.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested:

H. J. R. No. 4—Mr. Bohl—Instructing our Senators and Representatives in Congress to urge upon Congress the repeal of the resumption act.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Sherrick moved that said joint resolution be referred to the committee on Currency.

Which was agreed to.

Mr. Armstrong, on leave, introduced the following bill, which was read the first time:

S. B. No. 69—Supplementary to an act entitled "An act to create a Board of Public Works in certain cities having a population of one hundred and fifty thousand and upwards at the last Federal Census," passed March 17, 1876.

Mr. Dungan, on leave, introduced the following bill, which was read the first time:

S. B. No. 70—To punish certain offenses therein named.

On motion of Mr. Sherrick, the Senate went into Committee of the Whole for the consideration of S. B. No. 49, and after some time spent therein, arose, reported progress, and asked leave to sit again.

Which was granted.

On motion of Mr. Beer, the Senate took a recess.

THREE O'CLOCK P. M.

On motion of Mr. Carlisle the Senate went into Committee of the Whole for the consideration of S. B. No. 49, and after some time spent therein, arose, reported progress, and asked leave to sit again.

Which was granted.

Mr. Wilson, on leave, introduced the following bill, which was read the first time:

S. B. No. 71—To provide for the sale of mortgaged personal property.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested:

H. J. R. No. 18—Mr. Parker—Authorizing the Secretary of State to

have copies of laws of the General Assembly printed for distribution among the members.

Attest: L. A. BRUNNER, *Clerk.*

The question being on the adoption of the joint resolution, the yeas and nays were ordered, taken, and resulted—yeas 25, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Kelley, Marsh, McDonald, Owens, Parker, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—25.

So the resolution was adopted.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time.

H. B. No. 181—Mr. Dunham—To provide for the location, establishment and construction of a new ditch in part, and the alteration, changing, widening, deepening and otherwise improving certain ditches, drains and water courses in the counties of Sandusky, Seneca and Wood, in the State of Ohio.

H. B. No. 182—Mr. Palmer—To authorize the village of West Cleveland, Ohio, to issue bonds to the amount of six thousand dollars for the purpose of paying for culvert built by said corporation and the Lake Shore and Michigan Southern Railroad, at the intersection of Lake Avenue.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill in which the concurrence of the Senate is requested:

H. B. No. 59—Mr. Parker—To repeal an act passed January 26, 1877, (O. L., vol. 74, pp. 387 and 388,) to authorize the County Commissioners of Brown county, Ohio, to build and put in repair certain free turnpike roads named therein.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Fisher offered the following joint resolution:

S. J. R. No. 18—Directing the printing of the school laws.

Be it resolved by the General Assembly of the State of Ohio, That the Supervisor of Public Printing be, and he is hereby instructed to have printed in pamphlet form and bound in brochure, ten thousand copies of the School Law, passed in 1873, including all amendatory and supplementary acts thereto to the present time, the copy for the same to be furnished by the State Commissioner of Common Schools; three thousand copies of said laws to be for use of said School Commissioner, and the remainder to be distributed by him to the Auditors of the several counties of the State, and by said Auditors distributed to such school officers as may be designated by the Commissioner of Common Schools.

On motion of Mr. Seitz, said joint resolution was referred to the committee on Public Printing.

On motion of Mr. Seitz, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

THURSDAY, FEBRUARY 7, 1878—10 O'CLOCK A. M.

The Senate met pursuant to adjournment.

Prayer by Rev. T. R. Taylor.

The Journal was read and approved.

Mr. Howland presented the petition of E. P. Baker, P. F. Kellogg and 31 other citizens of Monroe, Ashtabula county, asking for the passage of an act authorizing the trustees of said township of Monroe, to levy a special tax upon said township, to erect a monument to the soldiers who lost their lives in the last war; amount not to exceed $3,000.

Which was referred to the committee on Finance.

Bills were read the second time and referred as follows:

S. B. No. 69—Mr. Armstrong — Supplementary to the act entitled "An act to create a board of public works in certain cities having a population of one hundred and fifty thousand and upwards at the last federal census," passed March 17, 1876.

To select committee of four—Senators from Hamilton county.

S. B. No. 70—Mr. Dungan—To punish certain offenses therein named.

To committee on Mines and Mining.

S. B. No. 71—Mr. Wilson—To provide for the sale of mortgaged personal property.

To committee on Judiciary.

H. B. No. 59—Mr. Parker—To repeal an act passed January 26, 1877, (O. L. vol. , pp. 387 and 388,) to authorize the county commissioners of Brown county, Ohio, to build and put in repair certain free turnpike roads named therein.

To committee on Railroads, Telegraphs and Turnpikes.

Mr. Wilson submitted the following report:

The joint committee on Revision has examined and correctly revised the following bills:

S. B. No. 64—Mr. Howland.

S. B. No. 61—Mr. Armstrong.

G. M. SALTZGABER,
J. C. FISHER,
G. W. WILSON.

S. B. No. 61—Mr. Armstrong—To amend an act to amend section 489 of the code of civil procedure, (O. L. vol. 64, p. 20.)

Was read the third time.

Mr. Wilson moved to recommit the bill to a select committee of one with instructions to amend the bill by inserting after the word "chattels" in the fourteenth line thereof the words following, to-wit: "of the debtor, and for want thereof against the."

Which was agreed to, and Mr. Wilson was appointed the committee.

Mr. Wilson submitted the following report:

The select committee of one to whom was referred S. B. No. 61, with instructions to amend, reports the same back amended as instructed.

G. W. WILSON.

Mr. Howland moved to recommit the bill to the committee on the Judiciary.

Which was agreed to.

S. B. No. 64—Mr. Howland—Supplementary to an act entitled "An act to provide for the appointment of guardians for imbeciles," passed April 27, 1872, (O. L. vol. 69, p. 174.)

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 31, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—31.

So the bill was passed. The title was agreed to.

Mr. Richards, on leave, introduced the following bill, which was read the first time

S. B. No. 72—To authorize the Secretary of State to re-issue charters of incorporation which have been lost or destroyed.

Mr. Steedman, on leave, introduced the following bill, which was read the first time:

S. B. No. 73—To provide for the Board of Directors of such Houses of Refuge and Correction as shall receive inmates, committed from the State at large, for the support of whom provision shall be made by the General Assembly, to be fixed by contract between the State and the Board of Directors of such institution.

Mr. Jackson of Clinton, on leave, introduced the following bill, which was read the first time:

S. B. No. 74—To amend sections 5 and 6 of an act entitled "An act relating to roads and highways," passed March 9, 1868.

Mr. Carson submitted the following report:

The standing committee on Public Printing, to whom was referred S. J. R. No. 7—Mr. Carlisle—Authorizing the printing and distribution of 20,000 copies of the agricultural report of the years 1877 and 1878, having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended:

At the end of line 12 insert the following: Provided, that said copies shall be printed and delivered to the State bindery not later than the fifteenth day of July, 1877 and 1878 respectively.

J. M. Carson, C. F. Krimmel,
John H. Benson, Lindsey Kelley,
J. C. Fisher, D. D. Beebe,
J. M. Armstrong.

The amendment was agreed to.

The question being on the adoption of the joint resolution, the yeas and nays were ordered, taken, and resulted—yeas 21, nays 9, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Fisher, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Owens, Richards, Sabine, Steedman, Stokes, Tyler and Wagener—21.

Those who voted in the negative were—

Messrs. Beer, Forrest, Irvine, Marsh, McDonald, Parker, Saltzgaber, Seitz and Wilson—9.

So the resolution was adopted.

Mr. Beebe submitted the following report:

The standing committee on Public Printing, to whom was referred S. J. R. No. 18—Mr. Fisher—Directing the printing of the school laws, having had the same under consideration, report it back, and recommend its adoption.

J. M. Armstrong, John H. Benson,
D. D. Beebe, C. F. Krimmel,
J. M. Carson, Lindsey Kelley.
J. C. Fisher.

Mr. Howland moved to recommit said joint resolution to the committee on Public Printing with instructions to amend as follows:

"Strike out all after the word "time" in line 7, to and including the word "schools" in line 9, and insert the following: "there shall be included in said pamphlet all decisions of the State School Commissioner under said law, with a reference from each section of the law construed to the decision construing it." The State School Commissioner is hereby directed and required to furnish a copy of said laws and decisions arranged as aforesaid."

Which was agreed to.

Mr. Benson submitted the following report:

The standing committee on Printing, to whom was referred H. B. No. 4—Mr. Bohl—To amend an act entitled "An act to amend an act passed April 6, 1866, entitled 'An act supplementary to an act to establish a code of civil procedure,'" passed March 11, 1853; passed April 3, 1867, (S. & S., p. 582); passed March 28, 1876, (73 O. L. 100), having had the same under consideration, report it back without recommendation.

John H. Benson, Lindsey Kelley,
D. D. Beebe, J. M. Armstrong,
J. M. Carson, C. F. Krimmel,
J. C. Fisher.

Mr. Fisher moved that the bill be placed upon the calendar for third reading to-morrow.

Which was agreed to.

Mr. Armstrong submitted the following report:

The select committee to whom was referred H. B. No. 3—Mr. Dodds—A bill to establish a board of fire commissioners in cities of the first-class having a population of two hundred thousand and over, to repeal section 14 of an act therein named, and for other purposes, having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

Strike out the word "or" and insert "and" in line 3 of section 5.

Strike out the words "and the amount thus certified" in line 5 of sec. 5.

Strike out in line 6 of section 5 the words "when collected."

Strike out all after the word "purpose" in line 15, the word "provided" in line 18 of section 5.

J. M. Armstrong, Theo. Marsh,
W. T. Forrest, H. C. Lord.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Howland moved to take from the table H. B. No. 27.

Which was agreed to.

Mr. Howland moved to refer the bill to a select committee of one with instructions to amend by striking out all of said bill after the words "a bill" to the end, and insert the following as a substitute for said bill, to-wit:

Supplementary to an act entitled "An act to provide for the creation and regulation of Incorporated Companies in the State of Ohio," passed May 1, 1852, (S. & C., 271), and to repeal section 11 of "An act entitled an act to incorporate the Beverly College," at Beverly.

SECTION 1. *Be it enacted, by the General Assembly of the State of Ohio.* That section 11 of said act, entitled an act to incorporate the Beverly college at Beverly, be and the same is hereby repealed.

SEC. 2. Whenever there has, or shall hereafter occur, a vacancy of the the entire board of trustees of any college, seminary, or academy incorporated under the laws of Ohio, by reason of an amendment of the charter of such corporation, or from any other cause, and there shall be no provision of law for filling said vacancy, then the board of education of the township, village or city in which such institution is situate, shall, within three months after receiving information of such vacancy, and every three years after the first election by them, elect a board of three trustees for such institution; said trustees shall hold their offices for three years and until their successors are elected and qualified, and shall discharge all the duties and be clothed with all the authority provided by law for the regulation and government of such incorportion, and may fill any vacancy occurring in their board until the next election by the board of education.

SEC. 3. This act shall be in force from and after its passage.

Mr. Howland moved that said substitute be laid upon the table, and ordered to be printed in advance of other matter.

Which was agreed to.

On motion of Mr. Tyler, the Senate took a recess.

THREE O'CLOCK P. M.

Mr. Curtiss submitted the following report:

The standing committee on Public Expenditures, to whom was referred S. B. No. 35—Mr. Seitz—To repeal an act entitled "An act to establish a board of State charities, and defining its duties," (O. L., v. 73, p. 165), having had the same under consideration, report it back, and recommend its passage.

G. M. SALTZGABER, J. C. FISHER,
H. W. CURTISS, C. S. PARKER.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 49—Mr. Ellis—To authorize the incorporated village of Port Clinton, Ohio, to transfer funds, having had the same under constderation, report it back with the recommendation that it be passed.

THEO. MARSH, G. W. WILSON,
R. G. RICHARDS, JAMES B. STEEDMAN,
G. M. SALTZGABER.

The bill was ordered to be engrossed at the Clerk's desk, and read the third time now.

The bill was then read.

On motion of Mr. Richards, the further consideration of said bill was postponed until to-morrow.

Mr. Joy asked and obtained leave of absence for the standing committee on Penitentiary for this afternoon.

Mr. Saltzgaber submitted the following report:

The standing committee on Public Expenditures, to whom was referred S. J. R. No. 15—To authorize the printing of additional copies of report on hog cholera, etc., having had the same under consideration, report it back and recommend its indefinite postponement.

JOHN SEITZ, C. S. PARKER,
H. W. CURTISS, G. M. SALTZGABER,
J. C. FISHER.

On motion of Mr. Curtiss, said report was laid upon the table.

Mr. Richards submitted the following report:

The standing committee on Municipal Corporations, to whom was referred S. B. No. 42—Mr. Owens—To amend section 1 of an act entitled "An act to authorize the city council of Newark, and the county commissioners, to unite in the building of a sewer in said city, and to provide the necessary funds therefor," passed April 30, 1877, (O. L., vol. 74, p. 492), having had the same under consideration, report it back and recommend its passage.

THEO. MARSH, R. G. RICHARDS,
G. W. WILSON, G. A. GROVE.

Said bill was ordered to be engrossed at the Clerk's desk and read the third time now.

The bill was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 25, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Saltzgaber, Seitz, Sherrick, Steedman, Wagener, Williams and Wilson—25.

So the bill passed. The title was agreed to.

Mr. Carson submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred H. B. No. 51—Mr. Clough—To authorize the Board of Education of Union township, Butler county, Ohio, to issue bonds to build a school house in sub-district No. 7, having had the same under consideration, report it back and recommend its passage.

J. M. CARSON, THOS. M. BEER,
C. F. KRIMMEL, H. C. LORD,
D. WAGENER, G. A. GROVE.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Fisher, on leave, submitted the following report:

The committee on Common Schools, to whom was recommitted S. J.

R. No. 18—Directing the printing of the school laws, with instructions to amend, reports the same back amended as instructed.

The report of the committee was agreed to.

Mr. Sherrick moved to strike out of said joint resolution the word "ten," in line 5, and insert therefor, the word "three;" and the word "three" in line 9, and insert the word "one."

Mr. Howland demanded a division of the question.

The motion to strike out was agreed to.

Mr. Howland moved to fill the first blank with the word "eight."

Which was agreed to.

Mr. Fisher moved that the second blank be filled with the word "two."

Which was disagreed to.

Mr. Seitz moved that said second blank be filled with the word "one."

Which was agreed to.

Mr. Johnston moved to amend the resolution by striking out the word "brochure" and inserting in lieu thereof the word "cloth."

Which was disagreed to.

Mr. Sherrick moved to amend said resolution by adding thereto the words "and the Auditors of the respective counties are hereby required to give those copies to school officers and none others."

Which was agreed to.

Mr. Carson moved to postpone the further consideration of the resolution until to-morrow.

Which was disagreed to.

Mr. Carson moved to amend said resolution by adding thereto the words "in the several townships."

Mr. Johnston moved to amend said amendment by adding thereto the words "in proportion to the number of sub-districts therein,"

Mr. Steedman moved that the resolution and pending amendments be referred to the standing committee on Common Schools and School Lands.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 146—Mr. Quinby—To authorize the village Council of the incorporated village of Sabina, Clinton county, Ohio, to issue and sell bonds to raise money to pay an existing indebtedness.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 123—Mr. O'Connor—To redistrict cities of the second class.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 93—Mr. Danford—Releasing Wayne Township, Belmont County, from the operations of an act passed March 14, 1831, and took effect June 1, 1831 (Swan & Critchfield, page 1577), providing for the election of three trustees, and treasurer for section No. 16, school lands.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Armstrong asked and obtained leave of absence for the committee on Soldiers' and Sailors' Orphans' Home for to-morrow.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 183—Mr. Reed, of Ross—To amend section two of an act prescribing the rate of taxation for county bridges, road and township purposes, and to repeal certain acts therein named, passed April 19, 1877, (O. L., vol. 74, page 95).

H. B. No. 184—Mr. Klimper—To amend an act entitled an act to amend section 9 of an act entitled an act to amend sections 24, 29, 39, 40, 41, 42, 44 and 45 of an act entitled an act for the assessment and taxation of property in this State, and for levying taxes thereon according to its true valuation in money, as amended April 7, 1863, passed and took effect May 8, 1868, and amended February 7, 1877, passed and took effect May 4, 1877.

H. B. No. 185—Mr. Herrick—To authorize the trustees of Wellington Township, Loraine County, to purchase a site for a town hall, and to sell the town hall and site now owned by said township.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 186—Mr. Poe—To create a Board of Public Works in certain cities having a population of less than 150,000 and over 90,000 inhabitants, at the last federal census, and to repeal certatn acts therein mentioned.

H. B. No. 187—Mr. Poe—Providing for and creating a Board of Police and Fire Commissioners in cities having a population less than 150,000 inhabitants at the last federal census, and to repeal certain acts therein referred to.

H. B. No. 188—Mr. Hitchcock—To consolidate, revise and amend the

statutes relating to benevolent institutions, to be known as part 1, title 5, Benevolent Institutions, of the act to revise and consolidate the statutes of Ohio.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 189—Mr. Reed, of Ross—To enable the commissioners of Ross County to purchase toll roads and convert the same into free roads.

H. B. No. 190—Mr. Marsh—To fix the compensation of county commissioners, and to repeal an act therein named.

H. B. No. 191—Mr. Sullivan, of Hamilton—To authorize the commissioners of Hamilton County to repair, and keep in repair, the approaches to the Union Bridge.

H. B. No. 192—Mr. Douglass—To amend section 8 of an act entitled an act concerning notaries public and commissioners, and prescribing their duties, passed March 13, 1856, (S. & C., page 873).

H. B. No. 193—Mr. Sullivan, of Hamilton—To authorize the trustees of Anderson Township, Hamilton County, Ohio, to transfer money from the poor fund to road fund, and from township fund to road fund.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 102—Mr. Cowgill—To ascertain the number of unmarked soldiers' graves in Ohio.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

On motion of Mr. Seitz, the Senate went into committee of the whole for the consideration of S. B. No. 49, and after some time spent therein, arose, reported progress, and asked leave to sit again.

Which was granted.

Mr. Forrest submitted the following report:

The select committee of four, consisting of the Senators from Hamilton County, to whom was referred H. B. No. 44—Mr. Sextro—A bill to provide for the reorganization, government and better regulation of Longview Asylum, and to repeal certain acts therein named, having had the same under consideration, report it back with the recommendation that it be amended as follows: That the word "powers," in line 8 of section 2, be stricken out, and the words "authorities herein" be inserted; that the word "power," in line 12 of section 2, and the word "authorities" be inserted; that the word "gratuitously" be stricken out of line 5 of section 3, and the words "without compensation" inserted; that the word "and" be stricken out of line 8 of section 3; that the words

"and to the Board of County Commissioners of Hamilton County" be inserted after the word "Cincinnati," in line 8 of section 6; that the words "directors of the Asylum" be stricken out of line 1 of section 12, and the words "Board of County Commissioners" be inserted; that the words "or Board of Directors, and (except sums received from the county treasury on the warrant of the county auditor) the steward shall pay into the county treasury all moneys received by him, from whatsoever source derived, which sums shall be credited by the treasurer of the county to the asylum fund," be inserted after the word "superintendent," in line 4 of section 15; that the words "shall come," in line 4 of section 16, be stricken out, and the words "which may" be inserted; that the words "in the county treasury" be inserted after the word "asylum," in line 7 of section 19; that the words "the sheriff or" be inserted in line 2 of section 21, after the words "warrant to;" that the word "the" in line 5 of section 32, be stricken out, and the word "his" be inserted.

W. T. Forrest, Theo. Marsh,
J. M. Armstrong, H. C. Lord.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Lord submitted the following report:

The standing committee on Finance, to whom was referred S. B. No. 3—Further to amend the act entitled an act to authorize free banking, passed March 21, 1851, (49 Ohio Laws, 41,) and the acts amendatory and supplementary thereto, having had the same under consideration, report it back and recommend its passage.

H. C. Lord, H. W. Curtiss,
Johnson Sherrick, Thos. M. Beer.

The bill was ordered to be engrossed and read the third time on Wednesday next.

On motion of Mr. Tyler, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

Friday, February 8, 1878—10 o'clock, A. M.

The Senate met pursuant to adjournment.

Prayer by Rev. T. R. Taylor.

The Journal was read and approved.

The President laid before the Senate a communication from the Adjutant General, in reply to certain inquiries made by S. R. No. 41.

Mr. Curtiss moved that said communication be referred to the Committee on Finance.

Which was agreed to.

Mr. Carson presented the petition of 123 citizens of Miami and Darke counties praying for further protection to quail.

Which was referred to the committee on Agriculture.

Mr. Carlisle presented the petition of J. T. Gill, J. R. Snyder and 50 other citizens of Fairfield county, praying for the preservation and enlargement of the canals of the State.

Which was referred to the committee on Public Works.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the adoption of the following joint resolution:

S. J. R. No. 7—Mr. Carlisle—Authorizing the printing and distribution of Agricultural Reports, and authorizing the Secretary of State to provide for the execution and supervision of State printing and binding.

Attest: L. A. BRUNNER, *Clerk.*

Bills were read the second time and referred as follows:

S. B. No. 72—Mr. Richards—To authorize the Secretary of State to reissue charters of incorporations which have been lost or destroyed.

To Committee on Corporations other than Municipal.

S. B. No. 73—Mr. Steedman—To provide for the Board of Directors of houses of refuge and correction as shall receive inmates committed from the State at large, for the support of whom provision shall be made by the General Assembly, to be fixed by contract between the State and the Board of Directors of such institution.

To Committee on Benevolent Institutions.

S. B. No. 74—Mr. Jackson of Clinton—To amend sections 5 and 6 of an act entitled "An act relating to roads and highways," passed March 9, 1868, (O. L., vol. 65, p. 16).

To Committee on Roads and Highways.

H. B. No. 146—Mr. Quinby—To authorize the village council of the incorporated village of Sabina, Clinton county, Ohio, to issue and sell bonds to raise money to pay an existing indebtedness.

To Committee on Municpal Corporations.

H. B. No. 123—Mr. O'Connor—To redistrict cities of the second class.

To Committee on Municipal Corporations.

H. B. No. 93—Mr. Danford—To relieve Wayne township, Belmont county, from the operation of an act passed March 14, 1831, and took effect June 1, 1831, (S. & C., p. 1577,) providing for the election of three Trustees and Treasurer for section No. 16, school lands.

To Committee on Municipal Corporations.

H. B. No. 102—Mr. Cowgill—To provide for ascertaining the number of unmarked soldiers' graves in the State of Ohio.

To Committee on Military Affairs.

H. B. No. 4—Mr. Bohl—To amend an act entitled "An act to amend an act passed April 6, 1866, entitled an act supplementary to an act to establish a code of civil procedure," passed March 11, 1853, passed April 3, 1867, (S. & S., page 582.) passed March 28, 1876, (73, Ohio Laws 100.)

Was read the third time.

Mr. Forrest moved that the further consideration of the bill be postponed until Wednesday next.

Which was disagreed to.

Mr. Forrest moved to refer to a select committee of one, with instructions to amend as follows:

Strike out the words "containing cities of the first and second class," in lines 3 and 4, of section 1.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 9, nays 15, as follows:

Those who voted in the affirmative were—

Messrs. Benson, Curtiss, Fisher, Forrest, Grove, Irvine. Jackson of Perry, Marsh and Steedman—9.

Those who voted in the negative were—

Messrs. Beebe, Beer, Carlisle, Carson, Howland, Johnston, Kelley, McDonald, Owens, Richards, Sabine, Saltzgaber, Sherrick, Wagener and Wilson—15.

So the motion to refer was disagreed to.

Mr. Forrest moved that the further consideration of the bill be postponed until Thursday next.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills in which the concurrence of the Senate is requested:

H. B. No. 86—Mr. Baker—To authorize the Commissioners of Allen county to levy a tax and purchase and improve fair ground for the use and benefit of said county.

H. B. No. 120—Mr. Van Cleaf—To amend an act entitled "An act relating to certain proposed amendments to the Constitution, and the publication thereof," passed April 30, 1877, and making an appropriation for the publication of said amendments.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

Mr. Jackson of Perry gave notice of his intention, on to-morrow, or some subsequent day of the session, to introduce a bill to give greater efficiency to Courts of Common Pleas and District Courts, and to change the Common Pleas Districts of the State.

On motion of Mr. Marsh, the Senate took a recess.

THREE O'CLOCK P. M.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill in which the concurrence of the Senate is requested:

H. B. No. 71—Mr. Sullivan, of Miami—To amend section 1 of an act to amend sections 1 and 4 of an act entitled "An act to provide for the repair of free turnpike roads in certain counties, and to authorize the County Commissioners of any county in this State to constitute a Board of Directors to regulate the hauling of heavy burdens on any free turnpike or improved road," (O. L., vol. 72, p. 59) passed and took effect April 20, 1874; passed April 3, 1876, (O. L., vol. 73, p. 151); passed May 2, 1877, (O. L., vol. 74, p. 153), and for other purposes.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 194—Mr. Alexander—Making appropriations for deficiencies and partial appropriation for the year 1878.

H. B. No. 195—Mr. Marsh—Supplementary to an act entitled "An act to amend section 5 of an act entitled an act to amend an act relating to the reorganization of courts of justice and their powers and duties," passed March 14, 1853, passed April 29, 1854, (O. L., v. 52, p. 73).

H. B. No. 196—Mr. White—To change the surname of persons therein named.

H. B. No. 197—Mr. Dodds—Supplementary to the act entitled "An act to provide for establishing an insurance department in the State of Ohio," passed March 12, 1872, amended April 12, 1873.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested:

H. J. R. No. 24—Mr. Sawyer—Ordering the printing of the annual report of the Commissioners of the bureau of Statistics of Labor.

Attest: L. A. BRUNNER, *Clerk.*

The resolution, on motion, was referred to the committee on Public Printing.

H. B. No. 3—Mr. Dodds—To provide for the reorganization and management of the fire department in certain cities of the first class, and to repeal section 14 of an act therein named.

Was read the third time.

On motion of Mr. Marsh, the further consideration of said bill was postponed until Tuesday next.

On motion of Mr. Howland, the consideration of S. B. No. 35 was postponed, and the bill ordered to be placed on the calendar for third reading on Tuesday next.

H. B. No. 49—Mr. Ellis—To authorize the incorporated village of Port Clinton, Ohio, to transfer funds.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 20, nays none, as follows:

Those who voted in the affirmative were—

Beebe, Beer, Benson, Carson, Curtiss, Fisher, Forrest, Howland, Irvine, Johnston, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Saltzgaber, Steedman and Wagener—20.

So the bill passed. The title was agreed to.

H. B. No. 51—Mr. Clough—To authorize the Board of Education of Union township, Butler county, Ohio, to issue bonds to build a school house, in sub-district No. 7.

Was read the third time.

On motion of Mr. Carson, the further consideration of said bill was postponed until Wednesday next.

H. B. No. 44—Mr. Sextro—To provide for the re-organization, government and better regulation of Longview Asylum, and to repeal certain acts therein named.

Was read the third time.

Mr. Howland moved to refer to a select committee of one with instructions to amend as follows:

Strike out all of section 33 and insert the following:

"Section 33. The asylum shall be supported and salaries of its officers paid from a fund consisting of all such moneys as now are, or hereafter may come into the Treasury of the county, from whatever sources applicable to the support of insane persons in said county, and of such appropriations as shall be made by the State for the support of said asylum, which appropriations shall bear the same proportion to the appropriations for the other lunatic asylums of the State, as the population of Hamilton county bears to the population of the State, exclusive of Hamilton county, as ascertained by the Federal census immediately preceding the making of such appropriations.

On motion of Mr. Howland, the further consideration of the bill was postponed until Wednesday next, and made the special order for 3 o'clock p. m. of said day.

Mr. Saltzgaber, on leave, introduced the following bill, which was read the first time:

S. B. No. 75—For the relief of James Webster and L. H. Wise.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 198—Mr. Dodds—To amend section 1 of an act entitled "An act concerning Notaries Public, and Commissioners, and prescribing their duties," passed March 13, 1856, (S. & C., 1872).

H. B. No. 199—Mr. Jessup—To enable the Commissioners of Hamilton county, Ohio, to make a fill from the west end of the bridge across the Great Miami River to the Indianapolis, Cincinnati and Lafayette Railroad station at Elyzabethtown, White Water township, Hamilton county.

H. B. No. 200—Mr. Danford—To amend sections 1, 2 and 3 of an act regulating the fees of witnesses in civil and criminal cases, passed March 16, 1852, (S. & C., p. 630).

Attest: L. A. Brunner, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 201—Mr. Booth—To refund certain moneys retained by the

trustees of the Asylum for the Blind out of the percentage due to Brown and Field contractors and to authorize the payment to said Brown and Field for extra work done by them on said asylum.

H. B. No. 2—Mr. Monahan—To amend sections 50, 52, 93 and 94 of an act entitled "An act for the reorganization and maintenance of common schools."

Attest: L. A. BRUNNER, *Clerk.*

Mr. Carson submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred H. B. No. 114—Mr. Parker—To create a special school district in Louis township, Brown county, Ohio, having had the same under consideration, report it back without recommendation.

J. M. CARSON, R. G. RICHARDS,
D. WAGENER, THOS. M. BEER,
H. C. LORD.

On motion of Mr. Marsh, said bill was laid on the table.

Mr. Forrest moved that the committee on Sanitary Laws and Regulations be releive from the further consideration of S. B. No. 59, and that the bill be referred to the committee on Judiciary.

Which was agreed to.

On motion of Mr. Curtiss, the Senate went into Committee of the Whole, for the consideration of S. B. No. 49.

After some time spent therein, arose, reported progress, and asked leave to sit again.

Which was granted.

On motion of Mr. Carson, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

SATURDAY, FEBRUARY 9, 1878—10 o'clock A. M.

The Senate met pursuant to adjournment.

Prayer by Rev. T. R. Taylor.

The Journal was read and approved.

Mr. Beebe presented the petition of C. C. Hine and 100 other citizens of Hudson, Summit county, asking for the passage of a law authorizing the issuing of bonds for the purpose of building a town hall.

Which was referred to the committee on Municipal Corporations.

Mr. Jackson of Perry presented the remonstrance of Hon. Daniel Van Voorhis and 40 other citizens of Muskingum county, against the passage of H. B. No. 4, requiring advertisement of a public nature to be published in German newspapers.

Which was referred to the committee on Public Printing.

Mr. Howland presented the petition of N. D. Dunbar and 400 other citizens of the 19th District, asking for the passage of a law submitting the question of the right to sell intoxicating liquors, to a vote of the people of any county, township, or ward, and for the re-enactment of the original Adair law.

Which was referred to the Committee on Sanitary Laws and Regulations.

Bills were read the second time and referred as follows:

H. B. No. 86—Mr. Baker—To allow the commissioners of Allen county to levy a tax, and to purchase and improve fair grounds for the use and benefit of said county.

To committee on Corporations other than Municipal.

H. B. No. 120.—Mr. Van Cleaf—To mend an act entitled "An act relating to certain proposed amendments to the constitution, and the publication thereof," passed April 30, 1877, (O. L., vol. 74, p. 148.)

To committee on Public Printing.

H. B. No. 71—Mr. Sullivan of Miami—To amend section 1 of an act to amend sections 1 and 4 of an act entitled "An act to provide for the repair of free turnpike roads in certain counties, and to authorize the county commissioners of any county in this State to constitute a board of directors to regulate the hauling of heavy burdens on any free turnpike or improved road," passed and took effect April 20, 1874; passed March 17, 1875, (O. L., vol. 72, p. 59); passed April 3, 1876; (O. L., vol. 73, p. 151); passed May 2, 1877; (O. L., vol. 74, p. 153); and for other purposes.

To committee on Roads and Highways.

S. B. No. 75—Mr. Saltzgaber—For the relief of James Webster and L. H. Wise.

To committee on Judiciary.

Mr. Saltzgaber, on leave, introduced the following bill, which was read the first time.

S. B. No. 76—To amend section 5 of an act entitled "An act to amend the act entitled an act granting licenses to peddlers," passed February 28, 1846, passed February 7, 1848, (S. & C. 907), and the acts amendatory thereof.

On motion of Mr. Steedman, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

MONDAY, FEBRUARY 11, 1878—10 o'clock A. M.

The Senate met pursuant to adjournment.

Prayer by Rev. R. W. Manly.

The Journal was read and approved.

Mr. Wagener presented the memorial and remonstrance of R. A. McGreger and 82 other citizens of Belmont county, remonstrating against the passage of H. B. No. 77—Mr. Perkins.

Which was referred to the committee on Common Schools.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills in which the concurrence of the Senate is requested:

H. B. No. 135—Mr. Hardy, of Defiance—To authorize the Trustees of Defiance Township, Defiance County, to transfer certain funds therein mentioned.

H. B. No. 54—Mr. Edwards—To authorize and empower the board of education of Green township, Trumbull county, to join with the trustees of said township, in the building of a school house and town hall.

H. . No. 42—Mr. Covert—To amend sections 1 and 2 of an act entitled "An act to provide for the enlargement and maintenance of the school library in cities of the first and second class."

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 203—Mr. Norton—To authorize the council of the incorporated village of Green Springs to issue bonds for the erection and completion of a town hall and engine house.

H. B. No. 204—Mr. Bloom—To amend section 313 of the code of civil procedure as amended April 13, 1874, (O. L., vol. 71, p. 68.)

H. B. No. 205—Mr. Hayman—To establish a uniform standard of weights and measures.

H. B. No. 206—Mr. Foster—To authorize boards of education in certain cities to levy a tax for library purposes, and limiting the rate of taxes to be levied for school purposes in certain cities.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution in which the concurrence of the Senate is requested:

H. J. R. No. 25—Mr. Van Cleaf—Providing for the admission of Mary E. Cole into the Columbus Hospital for the Insane.

Attest: L. A. BRUNNER, *Clerk.*

Said resolution, on motion, was referred to the committee on Benevolent Institutions.

The following bill was read the second time and referred—

S. B. No. 76—Mr. Saltzgaber—To amend section 5 of an act entitled "An act to amend the act entitled 'an act granting licenses to peddlers, passed February 28, 1846,' " passed February 7, 1848, (S. & C., 907), and the acts amendatory thereof.

To committee on Judiciary.

On motion of Mr. Seitz, the Senate went into committee of the Whole for the consideration of S. B. No. 49, and after some time spent therein, arose, reported progress, and asked leave to sit again.

Which was granted.

On motion of Mr. Beer the Senate took a recess.

THREE O'CLOCK P. M.

Mr. Johnston submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled the following bills and joint resolutions:

S. J. R. No. 10—Mr. Joy—Providing for the appointment of a com-

mittee to investigate the official conduct of the Directors of the Ohio State Penitentiary.

S. J. R. No. 12—Mr. Richards—Praying Congress to equalize soldiers' bounties.

S. B. No. 46—Mr. Owens—To authorize the Licking county Agricultural Society to borrow money and issue bonds therefor, to pay debts.

S. J. R. No. 5—Mr. Steedman—For the printing and distribution of 2,000 additional copies of the report of the Adjutant General.

S. B. No. 28—Mr. Forrest—To authorize compensation to be paid members of boards of equalization and their assistants.

J. R. Johnston, A. D. Marsh,
R. G. Richards, D Dow,
Wm. Jessup, E. S. Perkins,
C. F. Krimmel.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 73—Mr. Crosson—To amend the third section of an act entitled "An act defining the jurisdiction and regulating the practice of Probate Courts," passed March 14, 1853, as amended April 9, 1863, (S. & S., p. 626), having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

To insert in line 25, after the word "witness," the words "to a will."

To strike out the word "question" in line 36, of section 1, and insert "questions."

To add in line 37 after the word "proceedings" the words "or on the final settlement of the estate in which said judge is interested as executor, administrator or guardian."

After the words "common pleas" in line 37, insert "or whenever the interest of the Probate Judge therein shall cease."

W. T. Forrest, G. M. Saltzgaber,
W. P. Howland, Lyman J. Jackson,
J. R. Johnston.

Said amendments were agreed to, and the bill was ordered to be engrossed at the Clerk's desk and read the third time, now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 25, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Curtiss, Fisher, Forrest, Grove, Howland, Irvine. Jackson of Clinton, Jackson of Perry, Johnston, Krimmel, Lord, Owens, Parker, Richards, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—25.

So the bill was passed. The title was agreed to.

Leave of absence was asked and obtained for Mr. Joy until to-morrow.

Mr. Jackson of Perry, submitted the following report:

The standing committee on Corporations other than Municipal, to whom was referred H. B. No. 33—To authorize the Commissioners of Butler county to borrow money on the bonds of the county, having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended:

Strike out of section 1, all after the word "not" in line 10, and insert

"be issued under this act an amount exceeeding thirty thousand dollars of such bonds."

LYMAN J. JACKSON, J. R. JOHNSTON,
J. M. ARMSTRONG, R. G. RICHARDS,
GEO. P. TYLER.

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time, now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 25, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Curtiss, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Krimmel, Lord, Owens, Parker, Richards, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—25.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills and joint resolutions:

S. B. No. 28—Mr. Forrest—To authorize compensation to be paid members of boards of equalization and their assistants.

S. B. No. 46—Mr. Owens—To authorize the Licking county agricultural society to borrow money and issue bonds therefor, to pay debts.

S. J. R. No. 5—Mr. Steedman—For the printing and distributon of 2,000 additional copies of the report of the Adjutant General.

S. J. R. No. 12—Mr. Richards—Praying Congress to equalize soldiers' bounties.

Attest: L. A. BRUNNER, *Clerk.*

The President *pro tem*, in presence of the Senate, signed said bills and joint resolutions.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill in which the concurrence of the Senate is requested:

H. B. No. 104—Mr. Palmer—For the relief of the Board of Education of the Berea union school district, of Cuyahoga county, Ohio.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 207—Mr. Foster—To amend section 9 of chapter three of an act entitled "An act to amend, revise and consolidate the statutes relating to criminal procedure," passed May 5, 1877, (vol. 74, O. L., p. 331).

H. B. No. 208—Mr. White—To authorize the Board of County Commissioners of Franklin county to construct bridges across the Scioto river at points therein named.

H B. No. 209—Mr. Carter—To amend section 1 of an act entitled "An act to amend section 1 of an act to fix the compensation of County Commissioners," passed March 10, 1859, as amended May 1, 1862, and to repeal a certain act passed April 8, 1865, as amended April 29, 1872, as amended March 30, 1875, (O. L., pp. 169 and 170).

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 210—Mr. Dawson—To create a joint sub-district for school purposes in the township of Liberty and Penn, Highland county, Ohio.

H. B. No. 211—Mr. Covert—To amend section 2 of an act entitled "An act to amend sections 92 and 94 of an act entitled an act for the assessment and taxation of property in this State, and for levying taxes thereon according to its true value in money, passed April 5, 1859, (S. & C., 1438, v. 56, Stat., 175; S. & S. p. 781).

Attest: L. A. BRUNNER, *Clerk.*

Mr. Carlisle moved to take from the table S. J. R. No. 15.

Which was agreed to.

The question being on the adoption of the joint resolution, the yeas and nays were taken, and resulted—yeas 24, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Curtiss, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Krimmel, Lord, Owens, Richards, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—24.

Those who voted in the negative were—

Messrs. Carson and Saltzgaber—2.

So the joint resolution was adopted.

Mr. Tyler moved that H. B. No. 114 be taken from the table.

Which was agreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 19, nays 4, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Curtiss, Fisher, Forrest, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Lord, Owens, Parker, Steedman, Stokes, Tyler, Wagener and Williams—19

Those who voted in the negative were—

Messrs. Krimmel, Richards, Seitz and Wilson—4.

So the bill passed. The title was agreed to.

Mr. Curtiss offered the following joint resolution:

S. J. R. No. 19—*Be it resolved by the General Assembly of the State of Ohio,*

(three-fifths of the members elected to each House agreeing thereto), That the following be, and the same are hereby proposed to the Electors of Ohio, for their approval or rejection at the general election in October, 1878, to-wit:

1st. Regular elections for State and county officers, members of the General Assembly and Representatives in Congress, shall be held on the Tuesday next after the first Monday of November.

2d. For the purpose of establishing biennial general elections, the General Assembly may, by law, concurred in by three-fifths of the members elected to each House, and to take effect after one year from its passage, increase or diminish the term of any office prescribed in the constitution, by one year.

Resolved, further; That those voting for the former amendment, shall have on their ballots the words "For November Election," and those voting against the same, the words "Against November Eleciion;" and those voting for the latter amendment shall have on their ballots the words "For Biennial Election," and those voting against the same, the words "Against Biennial Elections."

Said joint resolution, was, on motion, laid upon the table, and ordered to be printed.

Mr. Grove asked and obtained leave of absence for the committee on Reform School and Industrial School for Girls, for this afternoon and to-morrow.

On motion of Mr. Richards, the Senate resolved itself into Committee of the Whole for the consideration of S. B. No. 49.

After some time spent therein, the committee arose, reported progress, and asked leave to sit again.

Which was granted.

On motion of Mr. Carlisle, the Senate took a recess until 10 o'clock to-morrow morning.

TUESDAY, FEBRUARY, 12, 1878—10 o'clock A. M

The Senate met pursuant to recess.

Prayer by Rev. Joseph M. Trimbell.

Mr. Tyler, on leave, introduced the following bill, which was read the first time:

S. B. No. 77—To provide cheap books for the common schools of Ohio.

Mr. Richards presented the remonstrance of J. Buchanan and 35 other citizens of Jefferson county, against the passage of H. B. No. 17—Mr. Perkins—To provide for the purchase of school books for common schools.

Which was referred to committee on Schools and School Lands.

Bills were read the second time and referred as follows:

H. B. No. 135—Mr. Hardy, of Defiance—To authorize the Trustees of Defiance township, Defiance county, to transfer certain funds therein mentioned.

To the committee on Finance.

H. B. No. 54—Mr. Edwards—To authorize and empower the Board of Education of Green township, Trumbull county, to join with the Trus-

tees of said township, in the building of a school house and town hall.

To committee on Corporations other than Municipal.

H. B. No. 42—Mr. Covert—To amend sections 1 and 2 of an act entitled "An act to provide for the enlargement and maintenance of the school library in cities of the first and second class."

To committee on Library.

H. B. No. 104—Mr. Palmer—For the relief of the Board of Education of the Berea union school district of Cuyahoga county, Ohio.

To committee on Finance.

Mr. Sherrick submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 127—By the House Finance Committee—Making partial appropriations for the year 1878, having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended:

Strike out in lines 30 and 31 "nine thousand two hundred and eighty-three dollars and eighty cents," and insert "seven thousand seven hundred and eight dollars and thirty-eight cents."

J. Sherrick, J. M. Carson,
Irvine Dungan, H. W. Curtiss.

Mr. Dungan moved to amend said report by striking out the amount allowed the Baltimore & Ohio Railroad, of $961.04, that being the only road where property was protected by the State militia.

Which was disagreed to.

Said amendment reported from the committee, was agreed to.

The bill was ordered to be engrossed and read the third time now.

The bill was then read.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 22, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carson, Curtiss, Fisher, Forrest, Howland, Jackson of Clinton, Johnston, Kelley, Marsh, McDonald, Parker, Richards, Sabine, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—22.

Mr. Dungan voted in the negative—1.

So the bill was passed. The title was agreed to.

Mr. Marsh presented the petition of Wm. H. Stickel and 50 other citizens of Butler county against the repeal of the game laws.

Which was referred to the committee on Fish Culture and Game.

On motion of Mr. Forrest, the Senate proceeded to the special order of the day, the consideration of H. B. No. 3—Mr. Dodds—To provide for the reorganization and management of the fire department in certain cities of the first-class, and to repeal section 14 of an act therein named, and for other purposes.

Mr. Wilson moved to recommit the bill to a select committee of one, with instructions to amend, by striking out of section 1, line 7, the words "police judge," and insert in lieu thereof the word "mayor."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 8, nays 17, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Howland, Jackson of Clinton, Johnston, Kelley, Richards, Sabine and Wilson—8.

Those who voted in the negative were—

Messrs. Armstrong, Carson, Curtiss, Dungan, Fisher, Forrest, Krimmel, Marsh, McDonald, Parker, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—17.

So the motion was disagreed to.

Mr. Steedman moved that the further consideration of said H. B. No. 3 be postponed until to-morrow.

Which was agreed to.

Mr. Krimmel submitted the following report:

The standing committee on Benevolent Institutions, to whom was referred H. J. R. No. 25—Providing for the admission of Mary E. Cole into the Columbus Hospital for the Insane, having had the same under consideration, report it back, and recommend its passage.

C. F. KRIMMEL, G. A. GROVE,
B. W. CARLISLE, H. W. CURTISS,
GEO. P. TYLER, THEO. MARSH.

The question being on the adoption of the joint resolution, the yeas and nays were taken, and resulted—yeas 24, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carson, Curtiss, Dungan, Fisher, Forrest, Howland, Jackson of Clinton, Johnston, Kelley, Krimmel, Marsh, McDonald, Parker, Richards, Sabine, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—24.

So the resolution was adopted.

Mr. Armstrong submitted the following report:

The standing committee on Public Printing, to whom was referred H. J. R. No. 24—Mr. Sawyer—Providing for the printing of the Report of the Commissioner of Bureau of Labor Statistics, having had the same under consideration, report it back, and recommend its adoption.

J. C. FISHER, J. M. ARMSTRONG,
J. M. CARSON, D. D. BEEBE.

The question being on the adoption of the joint resolution, the yeas and nays were taken, and resulted—yeas 22, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carson, Curtiss, Dungan, Fisher, Forrest, Howland, Jackson of Clinton, Johnston, Kelley, Krimmel, McDonald, Parker, Richards, Sabine, Sherrick, Steedman, Tyler, Wagener, Williams and Wilson—22.

So the joint resolution was adopted.

Mr. Saltzgaber presented the memorial of the Council of the village of Van Wert, Van Wert county, asking the passage of an act authorizing them to borrow money to procure means to secure protection from fire.

Which was referred to the committee on Municipal Corporations.

Mr. Saltzgaber, on leave, introduced the following bill which was read the first time:

S. B. No. 78—To authorize the Council of the incorporated village of Van Wert to issue bonds and borrow money for securing protection against fire.

On motion of Mr. Richards, the consideration of S. B. No. 35 was postponed until to-morrow, and made the special order of the day.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 65—Mr. Jessup—To amend an act entitled "An act for the relief of the poor," and to repeal certain acts therein named, passed April 12, 1876, (L. O., vol. 73, p. 231).

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Carson submitted the following report:

The standing committee on Public Printing, to whom was referred H. B. No. 120—Mr. Van Cleaf—To amend an act entitled "An act relating to certain proposed amendments to the Constitution, and the publication thereof," passed April 30, 1877, (O. L., vol. 74, p. 148) and making appropriation for publication of said amendments, having had the same under consideration, report it back, and recommend its passage.

J. C. FISHER, J. M. CARSON,
D. D. BEEBE, J. M. ARMSTRONG.

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carson, Curtiss, Dungan, Fisher, Forrest, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Krimmel, Marsh, McDonald, Richards, Sabine, Sherrick, Steedman, Stokes, Tyler, Wagener and Wilson—23.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 141—Mr. Guthery—To authorize the Council of the incorporated village of Prospect, in Marion county, to issue bonds to buy a steam fire engine, and to build a fire engine house for the use of said village.

H. B. No. 168—Mr. Bohl—To amend an act entitled "An act to require inn and boarding house keepers to provide suitable and sufficient fire escapes," passed May 5, 1877, (O. L., vol. 74, p. 176).

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

On motion of Mr. Johnston, the Senate took a recess.

THREE O'CLOCK P. M.

Mr. Marsh offered the following joint resolution:

S. J. R. No. 20—*Be it resolved by the General Assembly of the State of Ohio*, That the Board of Public Works communicate to this General As-

sembly by what authority said Board have contracted with the College Hill Narrow Guage Railroad Company, for the use and occupancy by said Railroad Company of the berme bank of the Miami Canal, from the six mile stone to Twelfth street, in the city of Cincinnati, county of Hamilton, and State of Ohio.

Mr. Johnston moved that said joint resolution be referred to the committee on Public Works.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following joint resolution:

H. J. R. No. 18—Mr. Parker—Authorizing the Secretary of State to have copies of laws of the General Assembly printed for distribution among the members.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said joint resolution.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 212—Mr. Carpenter—To authorize the Commissioners of Meigs county to appropriate money from the bridge fund of said county for opening and improving the road through Cook's Gap, on the road from Pomeroy to Ruthland.

H. B. No. 213—Mr. Hayman—To amend an act entitled "An act supplementary to the act regulating the mode of administering assignments in trust for the benefit of creditors," passed April 6, 1869, passed March 6, 1869.

H. B. No. 214—Mr. Mackey—To provide for an additional subdivision of the Ninth Judicial District of the State of Ohio, and the election of an additional judge therein, and to repeal an act to authorize the election of an additional judge of the Court of Common Pleas in the second subdivision of the Ninth Judicial District, passed May 14, 1868, (65 vol. Laws of Ohio, p. 197).

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the Senate amendments to the following bill:

H. B. No. 33—Mr. Clough—To authorize the Commissioners of Butler county to borrow money on the bonds of the county.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the Senate amendments to the following bill:

H. B. No. 73—Mr. Crosson—To amend the third section of an act entitled "An act defining the jurisdiction and regulating the practice of probate courts," passed March 14, 1853, as amended April 9, 1863, (S. & S., p. 626).

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 113—Mr. Dodds—To provide for the better organization of corporations designated as the Widows' Home and Asylum for aged and indigent women.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 215—Mr. Dawson—To authorize the council of the incorporated village of Geesburg, Highland county, to issue bonds and borrow money for the erection of public buildings, and to transfer certain funds for said purpose.

H. B. No. 216—Mr. Wright—To repeal an act entitled "An act to encourage the study of anatomy."

H. B. No. 217—Mr. Parker—For the relief of George W. Woodward.

H. B. No. 218—Mr. Booth—Providing for the payment of the cost of building levies to deposit lands from overflow in certain cases.

H. B. No. 219—Mr. Palmer—To amend section four of an act entitled "An act to facilitate the administration of justice in Cuyahoga county.

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Richards the Senate went into Committee of the Whole for the consideration of S. B. No. 49, and after some time spent therein, arose, reported progress and asked leave to sit again.

Which was granted.

Indefinite leave of absence was asked and obtained for W. V. Cox, Message Clerk, on account of sickness.

Mr. Joy submitted the following report:

The standing committee on Penitentiary, to whom was referred substitute for H. B. No. 1—To amend sections one, three, four, five, ten, eleven, fourteen, sixteen, seventeen, eighteen, nineteen, twenty-two, twenty-three, twenty-five, twenty-seven, thirty-three, thirty-five, thirty-

six and thirty-eight of chapter two of the act entitled "An act to consolidate, revise and amend the statutes relating to Jails and the Penitentiary, to be known as "part two, title three, Jails and the Penitentiary," passed May 5th, 1877, (O. L., vol. 74,) to and supplementary sections thirty-nine and forty to said chapter two, and to repeal said original sections one, three, four, five, ten, eleven, fourteen, sixteen, seventeen, eighteen, nineteen, twenty-two, twenty-three, twenty-five, twenty-seven, thirty-three, thirty-five, thirty-six and thirty-eight, having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

In section six strike out all of lines seven and eight, and the word "appointed" in line nine.

In section twelve, line nine, strike out the word "twelve" and insert "fifteen."

In line fifteen, of same section, strike out the word "sixty" and insert "sixtp-five."

In line sixteen, of same section, strike out the words "forty-five" and insert "fifty."

In section eighteen, strike out all after line thirty-nine.

D. Joy, C. F. Krimmel,
Geo. P. Tyler, H. W. Curtiss.

Mr. Johnston moved that the report and bill be laid upon the table in order to be printed in advance of other matter.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time.

H. B. No. 223—Mr. Hostetter—To amend section twenty-one of an act entitled "An act to regulate the fees of Probate Judges, Clerks of the Courts, Sheriffs, Witnesses and Jurors' fees in particulars, and to repeal certain acts therein named," passed April 8, 1876, (O. L., vol. 73, p. 134).

N. B. No. 224—Mr. Klimper—To amend an act entitled "An act to amend section two of an act entitled an act supplementary to an act to preserve the purity of elections," passed May 5, 1868, and amended March 21, 1874.

Attest: L. A. Brunner, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 220—Mr. Foster—To amend the first section of an act passed April 10, 1867, entitled "An act to amend an act to provide for and regulate Street Railroad Companies," passed April 10, 1861, and supplementary thereto, and to repeal section seven of said act.

H. B. No. 221—Mr. White—To amend section sixteen of chapter nine of the act of May 5, 1877, (74, vol. 282,) entitled "An act to amend,

revise and consolidate the statutes relating to crimes and offences," part four of the act to revise and consolidate the general statutes.

H. B. No. 122—Mr. Eylar—To amend section one of an act entitled "An act to amend an act entitled an act for the election of Coroners and Sheriffs, and fixing their terms of office," passed March 8, 1854, (S. & C., p. 1043); also, section one of an act passed March 12, 1831, (S. & C., p. 1584,) entitled "An act prescribing the duties of County Treasurers.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 82—Mr. Baker—To authorize the Trustees of the Mutual Protection Association of Patrons of Husbandry to remove their office.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the Senate amendments to H. B. No. 127—By the Finance Committee—Making partial appropriations for the year 1878.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Joy offered the following joint resolution:

S. J. R. No. 21—*Be it resolved by the General Assembly of the State of Ohio*, That the testimony taken before the joint committee appointed under the Senate Joint Resolution No. 10, and all papers before said committee be printed.

The question being on the adoption of the joint resolution, the yeas and nays were taken and resulted—yeas 27, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Krimmel, Lord, McDonald, Parker, Richards, Sabine, Saltzgaber, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—27.

Those who voted in the negative were—

Messrs. Dungan and Forrest—2.

So the joint resolution was adopted.

On motion of Mr. Lord, S. B. No. 3 was taken from the table and ordered to be placed on the calendar for third reading on Wednesday, February 20th.

Mr. Dungan submitted the following report:

The standing committee on Corporations other than Municipal, to whom was referred H. B. No. 54—To authorize and empower the Board of Education of Greene township, Trumbull county, to join with the Trustees of said township in the building of a school house and town

hall, having had the same under consideration, report it back and recommend its passage.

IRVINE DUNGAN, J. R. JOHNSTON,
R. G. RICHARDS, GEO. P. TYLER,
J. M. ARMSTRONG.

Said bill was ordered to be engrossed and placed upon the calendar for third reading to-morrow.

On motion of Mr. Krimmel, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

WEDNESDAY, FEBRUARY 13, 1878—10 o'clock A. M.

The Senate met pursuant to adjournment.

Prayer by Rev. J. M. Trimble.

The journal was read and approved.

Mr. Carlisle presented the remonstrance of E. H. Moore and 51 other citizens of Athens county, against the passage of the bill now pending in the House of Representatives, authorizing Boards of Education to purchase and furnish books and stationery for common schools.

Which was referred to the committee on Common Schools and School Lands.

Bills were read the second time and referred as follows:

H. B. No. 65—Mr. Jessup—To amend an act entitled "an act for the relief of the poor, and to repeal certain acts therein named, passed April 12, 1876, (Laws of Ohio, vol. 73, page 231).

To committee on Benevolent Institutions.

H. B. No. 141—Mr. Guthery—To authorize the council of the incorporated village of Prospect, in Marion county, to issue bonds to buy a fire engine and build a fire engine house for use of said village.

To committee on Municipal Corporations.

H. B. No. 168—Mr. Bohl—To amend an act entitled "an act to require inn and boarding house keepers to provide suitable and sufficient fire escapes."

To committee on Sanitary Laws and Regulations.

H. B. No. 113—Mr. Dodds—To provide for the better organization of corporations designated as the Widows' Home and Asylum for Aged and Indigent Women:

To committee on Benevolent Institutions.

H. B. No. 82—Mr. Baker—To authorize the trustees of the Mutual Protection Association of Patrons of Husbandry to move their office.

To committee on Agriculture.

H. B. No. 54—Mr. Edwards—To authorize and empower the Board of education of Greene township, Trumbull county, to join with the trustees of said township in the building of a school house and town hall.

Was read the third time.

The question being, "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 28, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Krim-

mel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Steedman, Stokes, Tyler, Wagener, Williams, Wilson—28.

So the bill was passed. The title was agreed to.

Mr. Curtiss presented the petition of S. L. Wilkinson and 145 other citizens of Chagrin Falls, County of Cuyahoga, asking for the passage of an act authorizing the trustees of the township in which said village is located to levy and assess a tax for the purpose of constructing a vault, or receptacle for the dead.

Which was referred to the committee on Corporations other than Municipal.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 45—Mr. Cowgill—To authorize the council of the city of Urbana, O., to make a contract with the Urbana Water Works for a supply of water, for fire and other purposes, for a period not exceeding ten years, and to levy taxes to pay the water rents to become due by the terms of said contract.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Owens, on leave, introduced the following bill, which was read the first time:

S. B. No. 79—For the greater security of land titles in the State of Ohio.

Mr. Curtiss, pursuant to notice, introduced the following bill, which was read the first time:

S. B. No. 80—To authorize the trustees of Chagrin Falls township, Cuyahoga county, to levy a tax for the purpose of constructing a vault, or receptacle for the dead.

Mr. Johnston, on leave, introduced the following bill, which was read the first time.

S. B. No. 81—To provide for the disposition of unclaimed deposits and dividends.

Mr. Irvine presented the remonstrance of Harlow Chapin and 103 other citizens of Washington County, against the passage of the bill requiring advertisements of a public nature to be published in German newspapers.

Which was referred to the committee on Public Printing.

Mr. Irvine presented the petition of James H. Kinsey and 194 other citizens of Morgan county, to amend the school law so as to require Boards of Education to make estimates for fractional districts, and deliver to the county auditor a sum equal to their *pro rata* shares; also, to prohibit special districts from drawing any of the fund arising from the sale of section 16 (school land).

Which was referred to the committee on Common Schools.

Mr. Forrest moved that the Senate proceed to the consideration of the special order, to-wit:

H. B. No. 3—Mr. Dodds—To provide for the reorganization and management of the fire departments in certain cities of the first class, and to repeal section 14 of an act therein named, and for other purposes.

Which was agreed to.

Mr. Howland moved to refer to a select committee of one, with instructions to amend as follows:

In section 2, after the word "specified," in line 16, insert "provided that no change shall be made, under this act, in the present employes of fire departments in cities of the first class, except for good cause."

Which was disagreed to.

Mr. Johnston moved to refer the bill to a select committee of one, with instructions to amend as follows:

At the close of section 2 add the following: "And such participation on the part of any member or officer shall be deemed cause for removal, and upon proof being made of such participation, such member and officer shall forthwith be removed.

Which was disagreed to.

Mr. Johnston moved to refer the bill to a select committee of one, with instructions to amend as follows:

By striking out of section 2 all of line 23 after the word "opinions," and also all of lines 24 and 25.

Which was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays 8, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams—24.

Those who voted in the negative were—

Messrs. Beebe, Beer, Howland, Johnston, Kelley, Richards, Sabine, Wilson—8.

So the bill was passed. The title was agreed to.

Mr. Richards submitted the following report:

The standing committee on Municipal Corporations, to whom was referred S. B. No. 5—Mr. Curtiss, to exempt cities of a certain grade from the provisions of acts therein named, having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

Strike out from line 9 to line 11 the following: "Having been advanced to that grade between the decennial periods, or having at the last Federal census a population of not less than 90,000 inhabitants, nor more than 100,000.

Add after the word "aforesaid," in line 13, the following: For any period not exceeding five years."

THEO. MARSH, GEO. W. WILSON,
G. M. SALTZGABER, G. A. GROVE,
R. G. RICHARDS.

Said amendments were agreed to and the bill ordered to be engrossed and read the third time to-morrow.

Mr. Tyler submitted the following report:

The standing committee on Railroads, Telegraphs and Turnpikes, to whom was referred H. B. No. 59—Mr. Parker—To repeal an act passed January 26, 1877, (O. L., vol. —, pages 387 and 388,) to authorize the County Commissioners of Brown county, Ohio, to build and put in repair

certain free turnpike roads named therein, having had the same under consideration, report it back, and recommend its passage.

GEO. P. TYLER, THOS. M. BEER,
J. M. CARSON, H. C. LORD,
J. C. FISHER, H. SABINE.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Armstrong submitted the following report:

The special committee of four Senators from Hamilton county, to whom was referred S. B. No. 69—A bill supplementary to the act entitled "an act to create a Board of Public Works in certain cities having a population of 150,000 and upwards at the last Federal census," passed March 17, 1876, having had the same under consideration, report it back, and recommend its passage.

J. M. ARMSTRONG, THEO. MARSH,
W. T. FORREST, HENRY C. LORD.

The bill was ordered to be engrossed and read the third time to-morrow.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 123—Mr. O'Connor—To re-district cities of the second class, having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH, G. M. SALTZGABER,
G. A. GROVE, JAS. B. STEEDMAN.

The bill was ordered to be engrossed and read the third time to-morrow.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 146—Mr. Quinby—To authorize the village council of the incorporated village of Sabina, Clinton County, Ohio, to issue and sell bonds to raise money to pay an existing indebtedness, having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH, G. M. SALTZGABER,
R. G. RICHARDS, GEO. W. WILSON,
G. A. GROVE.

The bill was ordered to be engrossed and read the third time to-morrow.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations to whom was referred H. B. No. 58—Mr. Washburn—To authorize the town council of the incorporated village of Waverly to borrow money and levy a tax—having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amneded:

Strike out the preamble.

THEO. MARSH, R. G. RICHARDS,
G. M. SALTZGABER, G. W. WILSON,
G. A. GROVE.

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Seitz, submitted the following report:

The standing committee on Public Buildings, to whom was referred S. J. R. No. 16—Relative to providing better ventilation for the State House—having had the same under consideration, report it back without recommendation.

C. S. PARKER, JOHN SEITZ,
J. M. ARMSTRONG, L. KELLEY,
W. H. STOKES.

On motion of Mr. Seitz, said joint resolution was laid on the table.

Mr. Seitz moved that the Senate proceed with the next special order, to-wit:

S. B. No. 35—Mr. Seitz—To repeal an act entitled "An act to establish a Board of State Charities, and defining its duties." (Ohio Laws, volume 73, page 165.)

Which was agreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays 8, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—24.

Those who voted in the negative were—

Messrs. Beebe, Howland, Jackson of Clinton, Johnston, Kelley, Richards, Sabine and Wilson—8.

So the bill was passed. The title was agreed to.

On motion of Mr. Tyler the Senate took a recess.

THREE O'CLOCK, P. M.

Mr. Forrest moved that the Senate proceed to the consideration of the special order for 3 o'clock p. m. to-day, as follows:

H. B. No. 44—Mr. Sextro—To provide for the reorganization, government, and better regulation of Longview Asylum, and to repeal certain acts therein named.

Which was agreed to.

The question being on Mr. Howland's motion to refer to a select committee of one, with instructions to amend.

Mr. Saltzgaber moved that the further consideration of said bill be postponed until to-morrow.

Which was agreed to.

Mr. Tyler offered the following resolution:

S. R. No 42—WHEREAS, The State Printer is delaying the business of the Senate by his failure to comply with his contract with the State, in printing the bills, resolutions, etc., of the Senate, therefore, be it

Resolved, That the committee on Printing is hereby instructed to inquire into the causes of said failure to comply with the contract and report some remedy for the action of the Senate.

Mr. Johnston gave notice of his intention to discuss, so the resolution went over under the rule.

Mr. Joy moved that H. B. No. 1 be taken from the table.

Which was agreed to.

The question being on agreeing to the amendments reported by the standing committee on Penitentiary;

Mr. Johnston moved that each amendment proposed by the committee be voted on separately.

Which was agreed to.

The question being on agreeing to the first proposed amendment, to-wit:

Strike out all of lines seven an eight, and the word "appointed" in line nine:

The same was disagreed to.

The question being on agreeing to the second proposed amendment, to-wit:

In section 12, line 9, strike out the word "twelve," and insert "fifteen."

The same was disagreed to.

The question then being on agreeing to the third proposed amendment, to-wit:

In line 15, of same section, strike out the word "sixty," and insert "sixty-five," and in line 16, of same section, strike out the words "forty-five," and insert "fifty."

On which question the yeas and nays were demanded, taken and resulted—yeas 15, nays 19, as follows:

Those who voted in the affirmative were—

Messrs. Beer, Curtiss, Fisher, Grove, Irvine, Johnston, Joy, Krimmel, Lord, Marsh, Owens, Saltzgaber, Steedman, Stokes and Tyler—15.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Dungan, Forrest, Howland, Jackson of Clinton, Jackson of Perry, Kelley, McDonald, Parker, Richards, Sabine, Seitz, Wagener, Williams and Wilson—19

So the amendment was disagreed to.

The question then being on agreeing to the fourth proposed amendment, to-wit:

In section 18, strike out all after line 39, being the sixth paragraph thereof.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 29, nays 6, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener and Williams—29.

Those who voted in the negative were—

Messrs. Carlisle, Carson, Johnston, McDonald, Steedman and Wilson—6.

Said amendment was agreed to.

On motion the bill was ordered to be engrossed and read the third time now.

The bill was then read.

Mr. Forrest moved to re-commit the bill to a select committee of one, with instructions to amend section 12, so as to add in line 11, after the word "sixty," the word "five."

Which was agreed to, and Mr. Forrest was appointed such committee.

Mr. Forrest, on leave, submitted the following report:

The select committee of one to whom was referred H. B. No. 1, with instructions to amend, reports the same back amended as instructed.

W. T. Forrest.

Mr. Sherrick moved to re-commit the bill to a select committee of one, with instructions to amend as follows:

Strike out in section 7, "and all articles for manufacturing and repairs in the State shops."

Which was agreed to, and Mr. Sherrick was appointed such committee.

Mr. Sherrick, on leave, submitted the following report:

The select committee of one to whom was referred substitute for H. B. No 1, with instructions to amend, reports the same back amended as instructed.

J. SHERRICK.

Mr. Seitz moved to re-commit the bill to a select committee of one, with instructions to amend as follows:

In section 5, line 1, and section 6, line 1, strike out the first word "he,' and insert the words "the warden," instead thereof, in each case.

Which was agreed to, and Mr. Seitz was appointed said committee.

Mr. Seitz, on leave, submitted the following report:

The select committee of one to whom was referred substitute for H. B. No. 1, with instructions to amend, reports the same back amended as instructed.

JOHN SEITZ.

Mr. Fisher moved to re-commit the bill to a select committee of one, with instructions to amend as follows:

In line 12, section 12, of printed bill, strike out the words "forty-five," and insert "fifty."

Which was agreeed to, and Mr. Fisher was appointed such committee.

Mr. Fisher, on leave, submitted the following report:

The select committee of one to whom was referred substitute for H. B. No. 1, with instructions to amend, reports the same back amended as instructed.

J. C. FISHER.

Mr. Howland moved to reconsider the vote by which Mr. Forrest's amendment was agreed to.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 8, nays 22, as follows:

Those who voted in the affirmative were—

Messrs. Carlisle, Carson, Dungan, Grove, Parker, Saltzgaber, Seitz and Wagener—8.

Those who voted in the negative were—

Messrs. Armstrong, Beer, Curtiss, Fisher, Forrest, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Sherrick, Steedman, Stokes, Tyler and Williams—22.

So the motion to reconsider was disagreed to.

Mr. Owens moved to refer substitute for H. B. No. 1 to a select committee of one with instructions to amend as follows:

In section 6, lines 5, 6 and 7, strike out the words "one from each county in the State, upon satisfactory application, until the proper number shall have been appointed."

Mr. Carson raised the point of order that said motion was out of order, as matter that the Senate had refused to strike out could not again be made the subject of amendment in the same form.

The President ruled the point of order not well taken, the bill being in a different stage.

Mr. Carson appealed from the decision of the President.

The question being "Shall the decision of the President be sustained?"

The same was decided in the affirmative.

The question recurring on Mr. Owen's motion to re-commit, the yeas and nays were demanded, taken, and resulted—yeas 10, nays 21 as follows:

Those who voted in the affirmative were—

Messrs. Curtiss, Fisher, Grove, Irvine, Joy, Krimmel, Lord, Owens, Saltzgaber and Tyler—10.

Those who voted in the negative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Dungan, Forrest, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Marsh, McDonald, Parker, Seitz, Sherrick, Steedman, Stokes, Wagener and Williams—21.

So the motion was disagreed to.

Mr. Johnston moved that the Senate take a recess until ten o'clock to-morrow morning.

Which was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 25, nays 6, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—25.

Those who voted in the negative were—

Messrs. Beer, Curtiss, Howland, Jackson of Clinton, Johnston and Kelley—6.

So the bill was passed. The title was agreed to.

On motion of Mr. Carlisle, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

THURSDAY, FEBRUARY 14, 1878—10 o'clock A. M.

The Senate met pursuant to adjournment.

Prayer by Rev. Jos. M. Trimble.

The Journal was read and approved.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 229—Mr. Bloom—To amend sections 44, 49 and 67 of an act entitled "An act for the reorganization and maintenance of common schools," passed May 1, 1873, (O. L., v. 70, pp. 195 and 240).

H. B. No. 230—Mr. Hart—To amend sections 395 and 396 of an act entitled "An act to establish the code of civil procedure," passed March 11th, 1853.

H. B. No. 231—Mr. Wolf—To create a special school district composed of territory in the township of Falls, in the county of Hocking.

H. B. No. 232—Mr. Hayman—To relive debtors without injury to their creditors.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives, and read the first time:

H. B. No. 225—Mr. Hostetter—To authorize the creation of an additional sub-school district in Neave township, Darke county.

H. B. No. 226—Mr. Carpenter—Authorizing the City Council of the city of Pomeroy, Ohio, to sell certain lands therein named, and to appropriate the proceeds thereof to the payment of the general indebtedness of said city.

H. B. No. 227—Mr. Bloom—To authorize the City Council of the city of Mansfield to issue bonds for water works purposes.

H. B. No. 228—Mr. Loder—For the relief of Wm. J. Berne, Charles Stanley, Jno. B. Schroder and Jno. M. Muller, assignees of Brente and Phillips and Dunnard Witt.

Attest: L. A. BRUNNER, *Clerk:*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 233—Mr. Bull—To divide school district No. 6, of Montgomery township, Ashland county, into two separate school districts.

H. B. No. 234—Mr. Johnston—To repeal an act entitled "An act requiring the Trustees of Fairfield township, Tuscarawas county, to open a certain county road through said township," passed April 11, 1877, (O. L., v. 74, p. 438).

H. B. No. 235—Mr. Jessup—To authorize the Township Trustees and Board of Education of White Water township, Hamilton county, Ohio, to build a town hall and school house in one building, and to consolidate the building funds of each for that purpose.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to—

H. B. No. 3—Mr. Dodds—To provide for the re-organization and management of the fire department in certain cities of the first class, and to repeal section 14 of an act therein named.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the adoption of the following joint resolution:

S. J. R. No. 21—Mr. Joy—Authorizing the printing of the papers and the testimony before the Penitentiary Investigating committee.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 194—Mr. Alexander—Making appropriations for deficiencies and partial appropriations for the year 1878.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Sherrick moved that the constitutional rule requiring bills to be read on three different days, be dispensed with, that H. B. No. 194 may be read the second time.

On which motion the yeas and nays were taken and resulted—yeas 24, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jckson of Clinton, Jackson of Perry, Johnston, Kelley, Marsh, McDonald, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Wilson—24.

The motion not having received the constitutional majority, was disagreed to.

Mr. Beebe presented the petition of Hon. S. E. Judd and 30 other citizens of Hudson, Summit county, asking that a law be enacted permitting the building of a town hall, and issuing bonds for the same.

Which was referred to the committee on Municipal Corporations.

Mr. Steedman presented a communication from Mayor of Toledo, transmitting a resolution of he Common Council praying the enactment of a law to sell and convey all its right, title and interest in and to the Toledo and Woodville Railroad, &c.

Which was referred to standing committee on Municipal Corporations.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled the following bill and joint resolution:

H. B. No. 120—Mr. Van Cleaf—To amend an act entitled "An act relating to certain proposed amendments to the constitution and the publication thereof," passed April 30, 1877, (O. L., v. 74, p. 148), and making an appropriation for publication of said amendment.

H. J. R. No. 17—Mr. Poe—Requiring the Adjutant-General to pro-

hibit the stabling of horses, etc., in the basement of the State House, and clean out said basement.

R. G. Richards, Wm. Jessup,
Irvine Dungan, A. D. Marsh,
F. M. Carter, E. S. Perkins,
J. R. Johnston.

Mr. Dungan submitted the following report:

The standing committee on Corporations other than Municipal, to whom was referred H. B. No. 63—Mr. Hitchcock—For the relief of Newton Austin, treasurer of Montville township, Geauga county, Ohio, having had the same under consideration, report it back and recommend its passage.

Irvine Dungan, R. G. Richards,
Geo. P. Tyler, J. R. Johnston,
J. M. Armstrong.

Said bill was ordered to be engrossed and read the third time this afternoon.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bill has been introduced in the House of Representatives and read the first time:

H. B. No. 236—Mr. Oglevee—To amend section 2 of an act entitled "An act authorizing County Commissioners to purchase land for the use of court houses, jails and county infirmaries, and to erect buildings thereon, to build bridges, and prescribing their duties in the construction of addition to or alteration of any court house, jail, county infirmary or bridge, and to repeal section 4 and 5 of the act passed March 3, 1831, entitled 'an act for the erection of public buildings,' (S. & C., v. 2, p. 1229), of the act entitled 'an act granting additional authority to County Commissioners for infirmary purposes,' passed April —, 1867, (S. & S. p. 537); the act entitled 'an act to amend section 3 of an act entitled an act further to prescribe the duties of County Commissioners,' passed April 8, 1856, as amended April 4, 1866, passed May 9, 1868, (S. & S. 87); sections 20, 21 and 23 of the act entitled 'an act for the relief of the poor,' passed February 23, and took effect May 1, 1865, (S. & S. 525), and section 7 and 8 of the act entitled 'an act prescribing the rates of taxation for State, county, township, city, and other purposes,' passed April 30, 1862, (S. & S., p. 777), passed and took effect April 27, 1869, (66 v. O. L., p. 52; Sayler's Stat., p. 1785–6), and to repeal section 3 of an act entitled 'an act prescribing the rate of taxation for county, bridge, road and township purposes,'" passed and took effect May 1, 1871, (68 v. O. L., p. 116; S. & S., p. 2521).

Attest: L. A. Brunner, *Clerk.*

Bills were read the second time and referred as follows:

S. B. No. 77—Mr. Tyler—To provide cheap books for the common schools of Ohio.

To committee on Universities, Colleges and Academies.

S. B. No. 78—Mr. Saltzgaber—To authorize the Council of the incorporated village of Van Wert to issue bonds and borrow money for securing protection against fire.

To committee on Municipal Corporations.

H. B. No. 45—Mr. Cowgill—To authorize the Council of the city of Urbana, Ohio, to make a contract with the Urbana Water Works for a supply of water for fire and other purposes, for a period not exceeding ten years, and to levy taxes to pay the water rents to become due by the terms of said contract.

To committee on Municipal Corporations.

S. B. No. 79—Mr. Owens—For the greater security of land titles in the State of Ohio.

To committee on Judiciary.

S. B. No. 80—Mr. Curtiss—To authorize the Trustees of Chagrin Falls township, Cuyahoga county, to levy a tax for the purpose of constructing a vault or receptable for the dead.

To committee on Corporations other than Municipal.

S. B. No. 81—Mr. Johnston—To provide for the disposition unclaimed deposits and dividends.

To committee on Judiciary.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill and joint resolutions:

H. B. No. 120—Mr. Van Cleaf—To amend an act entitled "An act relating to certain proposed amendments to the Constitution and the publication thereof," passed April 30, 1877, (O. L., vol. 74, p. 148,) and making an appropriation for publication of said amendments.

S. J. R. No. 10—Mr. Joy—Providing for the appointment of a committee to investigate the official conduct of the Directors of the Ohio State Penitentiary.

H. J. R. No. 17—Mr. Poe—Requiring the Adjutant General to prohibit the stabling of horses, etc., in the basement of the State House, and clean out said basement.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bill and joint resolution (No. 17):

Mr. Tyler moved that S. R. No. 42 be taken from the table.

Which was agreed to.

Mr. Tyler moved that said resolution be referred to a special committee of one.

Which was agreed to, and Mr. Tyler was appointed such committee.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 237—Mr. Eylar—To regulate the practice of dentistry.

H. B. No. 238—Mr. Achauer—To change the name of St. John's First English Evangelical Church, of Zanesville, in the county of Muskingum, Ohio.

H. B. No. 239—Mr. Clough—To authorize the City Council of the city of Hamilton, Butler county, to borrow money for the construction of water works for said city.

H. B. No. 240—Mr. Clough—To amend an act entitled "An act supplementary to an act entitled an act to provide for the organization and government of municipal corporations," passed May 7, 1869, passed April 28, 1873, (O. L., vol. 70, p. 179).

Attest: L. A. BRUNNER, *Clerk.*

Mr. Saltzgaber submitted the following report:

The committee on Revision have examined and found correctly Engrossed the following bills:

S. B. No. 5—Mr. Curtiss.
H. B. No. 146—Mr. Quinby.
H. B. No. 123—Mr O'Connor.
H. B. No. 58—Mr. Washburn.

G. W. WILSON,
G. M. SALTZGABER.

S. B. No. 5—Mr. Curtiss—To exempt cities of a certain grade from the provisions of acts therein named.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 28, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener and Wilson—28.

So the bill was passed. The title was agreed to.

Mr. Johnston moved that the vote by which the motion to suspend the constitutional rule, on the motion to read H. B. No. 194 the second time, was disagreed to, be reconsidered.

Which was agreed to.

The question being on suspending the constitutional rule, the yeas and nays were taken, and resulted—yeas 22, nays 5, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Carlisle, Curtiss, Fisher, Grove, Howland, Jackson of Clinton, Johnston, Kelley, Krimmel, McDonald, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener and Wilson—22.

Those who voted in the negative were—

Messrs. Carson, Forrest, Jackson of Perry, Owens and Parker—5.

So the motion to suspend the rule was disagreed to.

H. B. No. 59—Mr. Parker—To repeal an act passed January 26, 1877, (O. L., vol. —, pp. 387 and 388,) to authorize the County Commissioners of Brown county, Ohio, to build and put in repair certain free turnpike roads named therein.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 26, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Marsh, McDonald, Owens, Parker, Richards, Sabine, Steedman, Stokes, Tyler, Wagener and Wilson—26.

So the bill was passed. The title was agreed to.

S. B. No. 69—Mr. Armstrong — Supplementary to the act entitled "An act to create a board of public works in certain cities having a population of one hundred and fifty thousand and upwards at the last federal census," passed March 17, 1876.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays 5, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Steedman, Stokes, Tyler and Wagener—22.

Those who voted in the negative were—

Messrs. Beebe, Howland, Johnston, Richards and Wilson—5.

So the bill passed. The title was agreed to.

H. B. No. 123—Mr. O'Connor—To redistrict cities of the second class.

Was read the third time.

Mr. Johnston moved that the bill be referred to a select committee of one with instructions to amend as follows:

Strike out all of line 4, after the word "inhabitants," and all of line 5 to the word "appoint," inclusive, and insert the following: "There shall be elected at the annual election in April, 1878."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 10, nays 23, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley, Richards, Sabine and Wilson—10.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler and Williams—23.

So the motion was disagreed to.

Mr. Howland moved to refer the bill to a select committee of one, with instructions to amend, by inserting at the end of section 2, the following, to-wit: "Provided that the whole number of wards shall not exceed eleven (11)."

On which motion the yeas and nays were demanded, taken and resulted—yeas 10, nays 22, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley, Richards, Sabine and Wilson—10.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Jackson of Perry, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler and Williams—22.

So the motion was disagreed to.

Mr. Johnston moved to have the bill referred to a select committee of one, with instructions to amend as follows:

Strike out of lines 1 and 2, of section 5, the words "have the same force and effect as if made by ordinance of council," and insert in lieu thereof the following: "Until approved by the City Council of said city."

Which was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 24, nays 10, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler and Williams—24.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley, Richards, Sabine and Wilson—10.

So the bill was passed. The title was agreed to.

Mr. Sherrick moved that H. B. No. 194 be sent back to the House of Representatives, with a message requesting that body to have their bill properly engrossed.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bill has been introduced in the House of Representatives and read the first time:

H. B. No. 241—Mr. Loder—For the protection of cemeteries in the State of Ohio, and to repeal an act therein named.

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Seitz, the Senate took a recess.

THREE O'CLOCK P. M.

Mr. Lord, on leave, introduced the following bill, which was read the first time:

S. B. No. 82—To authorize the Archæological Association of Ohio, to make accurate surveys and descriptions of the pre-historic works of the State, and to collect pre-historic relics for a state cabinet of Archæology to remain forever the property of the State.

Mr. Carson submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred S. B. No. 43—Mr. Saltzgaber—To create a special school district in Marion township, Mercer county, Ohio, having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended:

In line 10, after the word "that" strike out the words "a majority" and insert the words "two-thirds."

J. M. CARSON, D. WAGENER,
THOS. M. BEER, G. A. GROVE,
R. G. RICHARDS.

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Richards offered the following joint resolution:

S. J. R. No. 22—WHEREAS, Labor both manuel and mental is the most honorable as well as the only true source of wealth; and

WHEREAS, It is the duty of the Government at all times to protect and encourage home industry by enacting and enforcing such a tariff of protective duties as will secure our home markets against the disastrous floodings of foreign competition, fed and sustained by the inhuman policy of pauperizing labor; and

WHEREAS, The farmers and manufacturers are alike vitally interested in such protection, and that the prosperity of all classes and occupations is mainly dependent on the success of our manufacturing and agricultural interests; and

WHEREAS, We regard the right to enjoy the products of our soil and of our labor as sacred as the right to the soil itself, and that it is as much the duty of the Government to repel an invasion of the one as of the other; and

WHEREAS, A bill is now pending in Congress looking to the material reduction of the tariff on foreign goods, which come in competition with the products of home manufacture; therefore,

Be it resolved by the General Assembly of the State of Ohio, That our Senators in Congress be instructed and our Representatives be requested to use all honorable means to defeat any and all measures presented to Congress for the purpose of reducing the tariff on foreign articles, or having any tendency to deprive our manufacturing interests of the protection now afforded them.

Which, on motion, was referred to the committee on Manufactures and Commerce.

Mr. Steedman moved that the special order, viz: H. B. No. 4, by Mr. Bohl, be taken up.

Which was agreed to.

On motion of Mr. Steedman the consideration of said bill was postponed until Wednesday next.

Mr. Irvine presented the memorial of E. W. Sprague and 1039 other citizens of the Muskingum Valley for the preservation and improvement of the canals of the State, and particularly the Muskingum improvement.

Which was referred to the committee on Public Works.

Mr. Richards submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled the following bills and joint resolutions:

H. B. No. 114—Mr. Parker—To create a Special School District in Lewis township, Brown county.

H. B. No. 33—Mr. Clough—To authorize the Commissioners of Butler county to borrow money on the bonds of the county.

H. B. No. 127—Finance Committee—Making partial appropriations for the year 1878.

H. B. No. 73—Mr. Crosson—To amend the third section of an act entitled "An act defining the jurisdiction and regulating the practice of Probate Courts," passed March 14, 1853, as amended April 9, 1863, (S. & S., p. 626).

H. B. No. 54—Mr. Edwards—To authorize and empower the Board of

Education of Green township, Trumbull county, to join in the building of a school house and town hall.

H. J. R. No. 24—Mr. Sawyer—Ordering the printing of the annual report of the Commissioner of the Bureau of Statistics of Labor.

H. J. R. No. 25—Mr. Van Cleaf—Providing for the admission of Mary E. Cole into the Columbus hospital for the Insane.

Sub. H. B. No. 3—Mr. Dodds—To establish a board of fire commissioners in cities of the first class having a population of two hundred thousand and over, to repeal section 14 of an act therein named, and for other purposes.

J. W. Washburn, J. R. Johnston,
E. S. Perkins, R. G. Richards,
F. M. Carter, Irvine Dungan,
Duncan Dow.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following joint resolution:

H. J. R. No. 25—Mr. Van Cleaf—Providing for the admission of Mary E. Cole into the Columbus Hospital for the Insane.

Attest: L. A. Brunner, *Clerk.*

The President, in presence of the Senate, signed said joint resolution.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 33—Mr. Clough—To authorize the Commissioners of utler County to borrow money on the bonds of the county.

H. B. No. 3—Mr. Dodds—To establish a Board of Fire Commissioners in cities of the first class having a population of two hundred thousand and over, to repeal section 14 of an act therein named, and for other purposes.

H. B. No. 54—Mr. Edwards—To authorize and empower the Board of Education of Green township, Trumbull county, to join with the trustees of said township in the building of a school house and town hall.

Attest: L. A. Brunner, *Clerk.*

The President, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills and joint resolution:

H. B. No. 114—Mr. Parker—To create a special school district in Lewis township, Brown county, Ohio.

H. B. No. 127—Finance Committee—Making partial appropriations for the year 1878.

H. B. No. 73—Mr. Crosson—To amend the third section of an act entitled "An act defining the jurisdiction and regulating the practice of Probate Courts," passed March 14, 1853, as amended April 9, 1863, (S. & S., p. 626.)

H. J. R. No. 24—Mr. Sawyer—Ordering the printing of the annual report of the Commissioner of the Bureau of Statistics of Labor.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills and joint resolution.

H. B. No. 146—Mr. Quinby—To authorize the village council of the incorporated village of Sabina, Clinton county, Ohio, to issue and sell bonds to raise money to pay an existing indebtedness.

Was read the third time.

The question being, "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 21, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Curtiss, Dungan, Fisher, Grove, Irvine, Jackson of Clinton, Joy, Kelley, Lord, Marsh, McDonald, Owens, Parker, Sabine, Stokes, Tyler, Williams and Wilson—21.

So the bill was passed. The title was agreed to.

H. B. No. 58—Mr. Washburn—To authorize the town council of the incorporated village of Waverly to borrow money and levy a tax.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 22, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Curtiss, Dungan, Fisher, Grove, Irvine, Jackson of Clinton, Joy, Kelley, Lord, Marsh, McDonald, Owens, Parker, Sabine, Steedman, Stokes, Tyler, Williams and Wilson—22.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives requests the return of H. B. No. 194—Mr. Alexander—Making appropriations for deficiencies and partial appropriations for the year 1878.

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Curtiss, the request of the House of Representatives was acceded to.

Mr. Stokes moved that the Senate proceed to the consideration of the first special order, viz:

H. B. No. 51—Mr. Clough—To authorize the board of education of Union township, Butler county, Ohio, to issue bonds to build a school house, in sub-district number seven.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 21, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Curtiss, Dungan, Fisher, Grove, Irvine, Jackson of Clinton, Joy, Lord, Marsh, McDonald, Owens, Parker, Sabine, Steedman, Stokes, Tyler, Williams and Wilson—21.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B No. 171—Mr. McCoy, of Lawrence—Authorizing the county commissioners of certain counties in the state of Ohio to levy an additional poor tax.

H. B. No. 48—Mr. Herrick—To amend section 13 of an act entitled "An act relating to roads and highways," passed March 9, 1868.

H. B. No. 50—Mr. Kellogg—To amend section 27 of an act entitled "An act for the reorganization and maintenance of common schools," passed March 6, 1874, (vol. 71, O. L., p. 18.)

H. B. No. 154—Mr. Herrick—To authorize the commissioners of Lorain county to invest surplus funds in United States registered bonds.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

H. B. No. 63—Mr. Hitchcock—For the relief of Newton Austin, Treasurer of Montville township, Geauga county, Ohio.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 24, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Johnston, Joy, Krimmel, Lord, March, McDonald, Parker, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Williams and Wilson—24.

Mr. Owens voted in the negative—1.

The bill was passed. The title was agreed to.

Mr. Marsh moved that the consideration of H. B. No. 44 be postponed until Wednesday next.

Which was agreed to.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 18—Mr. Booth—A bill to facilitate the administration of justice in the third sub-division of the Fifth Judicial District, having had the same under consideration report it back with the following amendments, and recommend its passage when so amended:

Strike out of line one, of section three, the word "in," after the word Sheriff, and insert the word "of."

Strike out of line two, of section three, the words "hereafter in each year," and insert the words, "One thousand eight hundred and seventy-eight."

W. T. FORREST, IRVINE DUNGAN,
J. R. JOHNSTON, D. WAGENER.

The amendments were agreed to, and the bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Seitz submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 135—To authorize the Trustees of Defiance township, Defiance

county, to transfer certain funds therein mentioned, having had the same under consideration, report it back and recommend its passage.

J. Sherrick, H. C. Lord,
John Seitz, Irvine Dungan,
J. M. Carson, H. W. Curtiss,
Thos. M. Beer.

The bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Sabine, Saltzgaber, Seitz, Stokes and Wilson—24.

So the bill was passed. The title was agreed to.

Mr. Fisher presented the petition of J. W. Yeagley and 174 other citizens of Tuscarawas county, praying for the passage of Mr. Owens' Senate Bills Nos. 19 and 20.

Which was referred to the committee on the Judiciary.

Mr. Johnston, on leave, introduced the following bill, which was read the first time:

S. B. No. 83—To amend section nine of an act entitled "An act supplementary to an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio," passed May 1, 1852; passed April 15, 1867, (S. & S. 186); as amended February 25, 1869, (O. L., vol. 66, p. 2); as amended April 20, 1874, (O. L., vol. 71, p. 161;) as amended April 11, 1876, (O. L., vol. 73, p. 188); as amended March 12, 1877, (O. L., vol. 74, p. 38).

Mr. Curtiss submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 104—Mr. Palmer—For the relief of the Board of Education of the Berea Union School District of Cuyahoga county, having had the same under consideration, report it back, and recommend its passage.

J. Sherrick, J. M. Carson,
Irvine Dungan, Thos. M. Beer,
John Seitz, H. W. Curtiss.

The bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Jackson, of Perry, submitted the following report:

The standing committee on Military Affairs, to whom was referred House Joint Resolution No. 8—Instructing Senators and Representatives in the National Congress to vote for the bill granting pensions to surviving soldiers and to widows of deceased soldiers of the Mexican war, having had the same under consideration, report it back and recommend its adoption.

Lyman J. Jackson, J. M. Carson,
Thos. S. Jackson, D. Joy,
G. M. Saltzgaber, J. R. Johnston.

The question being on the adoption of the joint resolution, the yeas

and nays were ordered, taken and resulted—yeas 16, nays 7, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Fisher, Grove, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Lord, Marsh, McDonald, Parker, Sabine, Saltzgaber and Stokes—16.

Those who voted in the negative were—

Messrs. Curtiss. Forrest, Howland, Krimmel, Owens, Seitz and Wilson —7.

The joint resolution having failed to receive a constitutional majority was lost.

Mr. Saltzgaber moved that said vote be reconsidered.

Which was agreed to.

On motion of Mr. Saltzgaber, said joint resolution was laid on the table.

Mr. Jackson of Perry, submitted the following report:

The standing committee on Military Affairs, to whom was referred H. B. No. 22—A bill for the relief of ex-Union Soldiers and their heirs, having had the same under consideration, report it back, with the following amendments and recommend its passage when so amended:

Strike out all preceding the enacting clause, and entitle the bill "An act to prescribe the duties and fees of Justices of the Peace and Notaries Public in certain cases."

Strike out all of section one following the words "Notaries Public," and insert "upon request to administer and certify to all oaths required in the procurement of bounties and pensions and payments of pensions, and they shall be entitled to charge and receive for each oath so administered and certified, the sum of ten cents and no more."

LYMAN J. JACKSON, J. M. CARSON,
D. JOY, G. M. SALTZGABER,
J. R. JOHNSTON.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Jackson, of Perry, submitted the following report:

The committee on Military Affairs, to whom was referred H. B. No. 102 —A bill to ascertain the number of unmarked soldiers' graves in Ohio, having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amneded:

In section one, line five, after the word "same," insert "Giving as far as practicable, the name, age, rank, company, regiment and date of death of each soldier buried therein."

LYMAN J. JACKSON, J. M. CARSON,
THOS. S. JACKSON, GEO. P. TYLER,
D. JOY, G. M. SALTZGABER,
J. R. JOHNSTON.

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time, on Wednesday next.

Mr. Owens submitted the following report:

The standing committee on Library, to whom was referred N. B. No. 42—To maintain, or assist in maintaining, public libraries in cities,

having had the same under consideration, report it back and recommend its passage.

C. S. PARKER, JAMES W. OWENS,
J. R. JOHNSTON, H. W. CURTISS.

The bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Lord, on leave, introduced the following bill which was read the first time:

S. B. No. 84—In addition to the laws now in force to prevent nuisances and to repeal an act therein named, (S. & C. 880).

On motion of Mr. Seitz, the Senate adjourned until to-morrow morning at 8 o'clock.

Attest: D. S. FISHER, *Clerk pro tem.*

FRIDAY, FEBRUARY, 15—8 o'clock A. M.

The Senate met pursuant to adjournment.

The Journal was read and approved.

Mr. Richards moved that the Senate adjourn.

Which was agreed to.

The President announced that in pursuance of S. R. No. 21, the Senate will stand adjourned until Tuesday next, at 3 o'clock, p. m.

Attest: D. S. FISHER, *Clerk, pro tem.*

TUESDAY, FEBRUARY 19, 1878—3 o'clock P. M.

The Senate met pursuant to adjournment.

The journal was read and approved.

Mr. Kelley presented the petition and remonstrance of W. G. Smith and 34 other citizens of Lawrence county, remonstrating against H. B. No. 17—Mr. Perkins—To provide for the purchase of books for the use of common schools.

Which was referred to the committee on Common Schools and School Lands.

Mr. Grove presented the remonstrance of the Board of Education of Miamisburg, and 20 other citizens of Miamisburg, Montgomery county, protesting against any change in the school laws as regards text books.

Which was referred to the committee on Common Schools and School Lands.

The following bills were read the second time and referred as follows:

S. B. No. 82—Mr. Lord—To authorize the Archæological Association of Ohio to make accurate surveys and descriptions of the pre-historic works of the State, and to collect pre-historic relics for a State cabinet of archæology, to remain forever the property of the State.

To committee on Geological Survey.

S. B. No. 83—Mr. Johnston—To amend section 9 of an act entitled "an act supplementary to an act entitled 'an act to provide for the creation, and regulation of incorporated companies in the State of Ohio,'" passed

May 1, 1852; passed April 15, 1867, (S. & S., 186); as amended February 25, 1869 (O. L., vol. 66, page 2); as amended April 20, 1874, (O. L., vol. 71, page 161); as amended April 11, 1876, (O. L., vol. 73, page 188); as amended March 12, 1877, (O. L., vol. 74, page 38).

To commmittee on Corporations other than Municipal.

S. B. No. 84—Mr. Lord—In addition to the laws now in force to prevent nuisances, and to repeal an act therein named, (Swan & Critchfield, 880).

To committee on Sanitary Laws and Regulations.

H. B. No. 171—Mr. McCoy, of Lawrence—Authorizing the County Commissioners of certain counties in the State of Ohio to levy an additional poor tax.

To committee on Sanitary Laws aud Regulations.

H. B. No. 48—Mr. Herrick—To amend Section 13 of an act entitled an act relating to roads and highways, passed March 9, 1868.

To committee on Roads and Highways.

H. B. No. 50—Mr. Kellogg—To amend section 27 of an act entitled "an act for the reorganization and maintenance of common schools," passed March 6, 1874, (O. L., vol. 71, page 18).

To committee on Common Schools.

H. B. No. 154—Mr. Herrick—To authorize the commissioners of Loraine county to invest surplus funds in United States registered bonds.

To Committee on Finance.

Mr. Seitz, on leave, introduced the following bill, which was read the first time :

S. B. No. 85—To repeal sections 2, 3, 4, 5, 6, 7, 8 and 9 of an act entitled an act supplementary and amendatory of the act entitled an act to amend sections 2, 4 and 24 of an act entitled an act to preserve the purity of elections, (O. L., vol. 74, page 211).

Mr. Curtiss moved that S. J. R. No. 19 be taken from the table.

Which was agreed to.

On motion of Mr. Curtiss, said resolution was referred to the committee on Judiciary.

The President laid before the Senate a communication from the Miami and Erie Canal Association, accompanied with certain resolutions, which, on motion was referred to the committee on Public Works.

Mr. Forrest, on leave, introduced the following bill, which was read the first time:

S. B. No. 86—To amend section 7 of an act to provide for establishing an insurance department in the State of Ohio, passed March 12, 1372, amended April, 1873, (volume 69, Ohio, Laws, page 34; Sayler's Statutes of Ohio, chapter 2154, page 2605,) and section 11, chapter 2, of an act to regulate insurance companies doing an insurance business in the State of Ohio, passed April 27, 1872, amended April, 1873, (volume 69, Ohio Laws, page 153; Sayler's Statutes, chapter 2218, page 2738).

On motion of Mr. Carlisle, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

WEDNESDAY, FEBRUARY 20, 1878—10 O'CLOCK A.M.

The Senate met pursuant to adjournment.
Prayer by Rev. Jos. M. Trimble.
The journal was read and approved.
The President, in presence of the Senate, signed S. J. R. No. 10.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 110—Mr. Stubbs—To add additional territory to West Elkton school district, and to create West Elkton village district.

H. B. No. 75—Mr. Palmer—To establish a sub-school district in Olmstead township, Cuyahoga county.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bill has been introduced in the House of Representatives and read the first time:

H. B. No. 242—Mr. Hitchcock—To authorize the Township Trustees of the township of Bainbridge, county of Geauga, to levy a tax for purchasing a hearse and erecting a vault.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to—

H. B. No. 58—Mr. Washburn—To authorize the Town Council of the incorporated village of Waverly, Ohio, to borrow money and levy a tax.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill in which the concurrence of the Senate is requested:

H. B. No. 13—Mr. Johnson—To change the surname of persons therein named.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Richards presented the remonstrance of Lyman Somers and other citizens of Columbiana county, against the passage of Mr. Perkins' School Book Bill.

Which was referred to the committee on Common Schools and School Lands.

Mr. Fisher presented the remonstrance of S. H. Lee and other school book dealers of Coshocton, against the passage of the Perkins School Book Bill.

Which was referred to the committee on Common Schools.

Mr. Stokes presented the petition of D. H. Clutch, and 66 other citizens of Warren county, asking that provision be made for the conversion of toll roads into free roads, and moved its reference to the standing committee on Roads and Highways.

Which was referred to the committee on Roads and Highways.

Mr. Beebe presented the remonstrance of J. K. P. Souers and 75 other citizens of Akron, Summit county, against the passage of H. B. No. 46 by Mr. Archer, or any other measure which may have for its object, the division of our common school fund.

Which was referred to the committee on Common Schools and School Lands.

Mr. Richards presented the remonstrance of Perry Fryfogle and 75 other citizens of Columbiana county, against the passage of Perkins' School Book Bill.

Which was referred to the committee on Schools and School Lands.

Mr. Richards presented the remonstrance of Thomas Boward and 205 other citizens of Columbiana county, against the passage of the Perkins School Book Bill.

Which was referred to the committee on Schools and School Lands.

Mr. Sabine presented the petition of Ella Slack and 42 other citizens of Union county, asking a special law to protect quail.

Which was referred to the committee on Agriculture.

Bills were read the second time and referred as follows:

S. B. No. 85—Mr. Seitz—To repeal sections 2, 3, 4, 5, 6, 7, 8 and 9 of an act entitled "An act supplementary and amendatory of the act entitled an act to amend sections 2, 4 and 24 of an act entitled an act to preserve the purity of elections, (O. L., v. 74, p. 211).

To committee on Privileges and Elections.

S. B. No. 86—Mr. Forrest—To amend section 7 of an act entitled "An act to provide for establishing an insurance department in the State of Ohio, passed March 12, 1872; amended April, 1873, (vol. 69, O. L., p. 34; Sayler's Stat., chapter 2154, p. 2605), and section 11, chapter 2, of an act to regulate insurance companies doing an insurance business in the State of Ohio," passed April 27, 1872; amended April, 1873, (O. L., v. 69, p. 153; Sayler's Stat., chap. 2218, p. 2738).

To committee on Insurance.

S. B. No. 43—Mr. Saltzgaber—To create a special school district in Marion township, Mercer county, Ohio.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 21, nays 8, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Kelley, Krimmel, Marsh, McDonald, Owens, Sabine, Saltzgaber, Steedman, Tyler, Wagener and Williams—21.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Howland, Richards, Seitz, Sherrick, Stokes and Wilson—8.

So the bill passed. The title was agreed to.

H. B. No. 18—Mr. Booth—To facilitate the administration of justice in the third sub-division of the Fifth Judicial District.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 30, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—30.

So the bill passed. The title was agreed to.

H. B. No. 104—Mr. Palmer—For the relief of the Board of Education of the Berea union school district, of Cuyahoga county, Ohio.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 24, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Curtiss, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Kelley, Marsh, Owens, Parker, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—24.

So the bill was passed.

Mr. Curtiss moved that the preamble be stricken from the title.

Which was agreed to.

The title, as amended, was agreed to.

H. B. No. 22—Mr. Dalzell—For the relief of ex-union soldiers and their heirs.

Was read the third time.

The question being, "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 14, nays 9, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Carson, Curtiss, Fisher, Howland, Jackson of Clinton, Kelley, Sabine, Saltzgaber, Sherrick, Steedman, Tyler, Williams and Wilson—14.

Those who voted in the negative were—

Messrs. Armstrong, Dungan, Forrest, Grove, Krimmel, Marsh, Owens, Seitz and Wagener—9.

So the bill, having failed to receive a constitutional majority, was lost.

H. B. No. 102—Mr. Cowgill—To provide for ascertaining the number of unmarked soldiers' graves in the State of Ohio.

Was read the third time.

Mr. Krimmel moved that the bill be referred to a select committee of one, with instructions to amend as follows:

"In lines 2 and 3 of the preamble in line 4, of section 1, strike out the words "unmarked soldiers' graves," and insert in lieu thereof the words, "soldiers' unmarked graves."

Which was agreed to, and Mr. Krimmel was appointed such committee.

Mr. Krimmel, on leave, submitted the following report:

The select committee of one, to whom was referred H. B. No. 102, with instructions to amend, reports the same back amended as instructed.

C. F. KRIMMEL.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 29, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Tyler, Wagener, Williams and Wilson—29.

So the bill passed.

Mr. Krimmel moved to amend the title by striking out the words "unmarked soldiers," and insert in lieu thereof the words "soldiers' unmarked."

Which was agreed to.

The title as amended was agreed to.

H. B. No. 42—Mr. Covert—To amend sections 1 and 2 of an act entitled "An act to provide for the enlargement and maintenance of the school library in cities of the first and second class."

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 29, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—29.

So the bill was passed. The title was agreed to.

Mr. Krimmel submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled the following bills:

H. B. No. 58—Mr. Washburn—To authorize the town council of the incorporated village of Waverly to borrow money and levy a tax.

H. B. No. 59—Mr. Parker—To repeal an act passed January 26, 1877, (O. L. vol. 74, pp. 387 and 388,) to authorize the county commissioners of Brown county, Ohio, to build and put in repair certain free turnpike roads named therein.

J. W. WASHBURN, WM. JESSUP,
C. R. HARMON, DUNCAN DOW,
C. F. KRIMMEL, E. S. PERKINS.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 58—Mr. Washburn—To authorize the town council of the incorporated village of Waverly to borrow money and levy a tax.

H. B. No. 59—Mr. Parker—To repeal an act passed January 26th, 1877, (O. L. vol. 74, pp. 387 and 388,) to authorize the county commis-

sioners of Brown county, Ohio, to build and put in repair certain free turnpike roads named therein.

Attest: L. A. BRUNNER, *Clerk.*

The President, *pro tem.* in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill in which the concurrence of the Senate is requested:

H. B. No. 194—Mr. Alexander—Making appropriations for deficiencies, and partial appropriations for the year 1878.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Sherrick moved that the constitutional rule, requiring bills to be read on three different days, be suspended, and that H. B. No. 194 may be read the second time.

On which motion the yeas and nays were taken and resulted—yeas 27, nays 3, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Jackson of Clinton, Lord, Marsh, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Wilson—27.

Those who voted in the negative were—

Messrs. Forrest, Krimmel and Williams—3.

So the motion was agreed to.

Sail bill was then read the second time, and on motion referred to the committee on Finance.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 243—Mr. Greene—To authorize a transfer of money from one fund to another in certain cities of the second class.

H. B. No. 244—Mr. Kerr—To amend section 34 of an act entitled "An act to enroll the militia of Ohio, to organize the volunteer militia, and to repeal said section as passed May 7, 1877," (O. L., vol. 74, p. 235.)

H. B. No. 245—Mr. Sextro—To authorize the county commissioners of Hamilton county to levy a tax and issue bonds for opening and grading an avenue known as Glenway avenue.

H. B. No. 246—Mr. Dow—To amend section 552 of an act entitl d "An act to establish a code of civil procedure," passed March 11, 1853, (S. & C., p. 1117.)

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Tyler, the Senate took a recess.

THREE O'CLOCK, P. M.

Mr. Forrest, on leave, introduced the following bill, which was read the first time:

S. B. No. 87—To establish the appellate court of Hamilton county.

Mr. Duncan, on leave, introduced the following bill, which was read the first time:

S. B. No. 88—To fix the time for holding an additional term of the district court in Jackson county.

Mr. Howland submitted the following report:

The standing committee on Public Works and Public Lands, to whom was referred S. J. R. No. 20—Mr. Marsh—having had the same under consideration, report it back, with following amemdments, and recommend its adoption when so amended:

Between the words "authority," and "said," in the second line thereof, insert the fol.owing words, to-wit: "upon what terms and for what length of time."

JAMES B. STEEDMAN, H. C. LORD,
W. P. HOWLAND, LYMAN J. JACKSON,
G. A. GROVE, G. M. SALTZGABER,
G. W. WILSON.

Said amendment was agreed to.

The question being on the adoption of the joint resolution, the yeas and nays were taken, and resulted—yeas 28, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Johnston, Joy, Krimmel, Lord, Marsh, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—28.

So said joint resolution was adopted.

Mr. Saltzgaber submitted the following report:

The standing committee on Public Works and Public Lands, to whom was referred S. B. No. 65—To aid in improving the drainage of the lands in and adjacent to the Scioto marsh, in Hardin county, Ohio—having had the same under consideration, report it back, with following amendments, and recommend its passage when so amended, viz:

Insert in the eigth line of the first section, after the word dollars, "and cause the same to be negotiated and sold."

Insert after the word "issue," in line 5, section 5, the words "and cause to be sold a sufficient amount of."

In same line strike out words "in payment," and insert "to pay."

JAMES B. STEEDMAN, G. M. SALTZGABER,
H. C. LORD, LYMAN J. JACKSON,
G. A. GROVE, G. W. WILSON,
W. P. HOWLAND.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Wilson submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 45—To authorize the council of the city of Urbana, Ohio, to construct the Urbana Water Works for supply of water for fire and other purposes—having had the same under consideration, report it back with the recommendation that it be passed.

THEO. MARSH, G. M. SALTZGABER,
G. A. GROVE, R. G. RICHARDS.
JAMES B. STEEDMAN, G. W. WILSON.

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Curtiss, Fisher, Howland, Jackson of Clinton, Johnston, Joy, Krimmel, Lord, Owens, Richards, Sabine, Seitz, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—22.

Mr. Forrest voted in the negative—1.

So the bill was passed. The title was agreed to.

Mr. Wilson submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 141—T authorize the council of the incorporated village of Prospect, in Marion county, to issue bonds to buy a fire engine and build a fire engine house for the use of said village—having had the same under consideration, report it back with the following amendments, and recommend its passage when so amended:

In line 4, of section 1, strike out the word "eight," and nsert the word "seven."

THEO. MARSH, R. G. RICHARDS,
G. W. WILSON, G. M. SALTZGABER,
G. A. GROVE.

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Carson submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred S. J. R. No. 13—Mr. Dungan—Relating to the outrageous price of school books, and praying Congress to change the laws relating to the copyright thereof—having had the same under consideration, report it back, with the following amendments, and recommend its adoption when so amended:

Strike out the following words: "copyrighting of any text books designed for use in the common schools or the."

J. M. CARSON, D. WAGENER,
R. G. RICHARDS, HENRY C. LORD,
G. A. GROVE, C. F. KRIMMEL.

Mr. Carson moved that the further consideration of said joint resolution and pending amendment be postponed until to-morrow.

Which was agreed to.

Mr. Beer submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred S. B. No. 56—Mr. Sabine—To authorize the Board of Education of school district No. 1, Paris township, Union county, Ohio, to borrow money to pay indebtedness incurred in building school house, and levy a tax for said purpose—having had the same under consideration, report it back with the following amendment, and recommend its passage when so amended:

Strike out from line 8, section 1, the word "eight," and insert in its stead the word "seven."

THOS. M. BEER, R. G. RICHARDS,
J. M. CARSON, D. WAGENER,
H. C. LORD.

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 29, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Lord, Marsh, Owens, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Tyler, Wagener, Williams and Wilson—29.

Mr. Seitz voted in the negative—1.

So the bill was passed. The title was agreed to.

Mr. Grove submitted the following report:

The committee on Common Schools and School lands, to whom was referred H. B. No. 12—Mr. Bohl—A bill to amend sections 18, 19 and 20, of an act for the reorganization and maintenance of common schools, (O. L., vol. 70, 1873, pp. 198 and 199), passed May 1, 1873, having had the same under consideration, report it back, and recommend its passage.

G. A. Grove, C. F. Krimmel,
H. C. Lord, J. M. Carson.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Tyler submitted the following report:

The standing committee on Benevolent Institutions, to whom was referred H. B. No. 65—Mr. Jessup—To amend an act entitled "An act for the relief of the poor, and to repeal certain acts therein named," passed April 12, 1876, (O. L., vol. 73, p. 236), having had the same under consideration, report it back, and recommend its passage.

C. F. Krimmel, G. A. Grove,
Theo. Marsh, H. W. Curtiss,
D. D. Beebe, Geo. P. Tyler.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Beebe submitted the following report:

The standing committee on Benevolent Institutions, to whom was referred H. B. No. 113—Mr. Dodds—To provide for the better organization of corporations designated as the widows' home and asylum for aged and indigent women, having had the same under consideration, report it back, and recommend its passage.

C. F. Krimmel, H. W. Curtiss,
G. A. Grove, D. D. Beebe,
B. W. Carlisle, Theo. Marsh,
Geo. P. Tyler.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Steedman asked and obtained leave of absence for the committee on Fish Culture and Game, for Saturday next.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 59—Mr. Forrest—To amend section 13, of chapter 8, of an act entitled "An act to amend, revise, and consolidate the statutes relating to crimes and offences, and to repeal certain acts therein named, to be known as title 1, crimes and offenses, part 4, of the act to revise and consolidate

the general statutes of Ohio," passed May 5, 1877, and to repeal section 14, of chapter 8, of said act, having had the same under consideration, report a substitute therefor, and recommend its passage.

SUBSTITUTE FOR S. B. No. 59—Mr. Forrest—To amend sections 13 and 14, of chapter eight, of an act entitled "An act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named. to be known as title one, crimes and offenses, part 4, of an act to revise and consolidate the general statutes of Ohio," passed May 5th, 1877, (O. L., vol. 74, p. 268).

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That section 13, of chapter 8, of title 1, of an act entitled "An act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title 1, crimes and offenses, part 4, of the act to revise and consolidate the general statutes of Ohio," passed May 5, 1877, (O. L., v. 74, p. 268), be so amended as to read as follows:

Section 13. Whoever sells intoxicating liquor to be drank in, or upon, or about the building or premises where sold, or in any adjoining room, building, or premises, or other place of public resort connected therewith, or sells intoxicating liquors to a minor, except upon the order of his parent, guardian or family physician, or to a person when in a state of intoxication, or to a known inebriate, shall be fined in any sum not exceeding twenty-five dollars, nor less than five dollars; the giving away of intoxicating liquor, or other shift or device to evade the provisions of this act, shall be deemed and held to be unlawful selling. The provisions of this section, concerning the sale of intoxicating liquor to be drunken on the premises where sold, shall not extend to the sale of wine, beer, ale or cider, except as to minors. Said original section 13 is hereby repealed.

SEC. 2. That section 14 of said act be so amended as to read as follows:

Section 14. Any person or persons convicted for the third time of selling or furnishing intoxicating liquors to a minor, or a person intoxicated, or a known inebriate, whether either or all of said convictions be for selling or furnishing such liquor to either a minor, a person intoxicated, or a known inebriate, the place kept by such person, for the sale of such liquor, shall be deemed and held a common nuisance, and the court shall order such place closed, and the nuisance abated, unless it be made to appear to the satisfaction of the court that the keeper of such place does not then sell liquor therein, in violation of law, or enters into a bond, in the penal sum of one thousand dollars, payable to the state of Ohio, with sureties to be approved by the court, conditioned that he will not therein unlawfully sell, or furnish, intoxicating liquors to any minor, person intoxicated, or a known inebriate; and whoever shall accept, receive or demand any sum of money, or thing of value, for the compounding or abandoning, of any prosecution for unlawfully selling, or furnishing intoxicating liquor, shall, on conviction thereof, be fined in any sum not exceeding three hundred dollars, nor less than one hundred dollars, and be committed in the jail of the county, or, (in case there be a work house in the county,) to the work house, until fine and costs are paid.

SEC. 3. That said original section 14 of the above entitled act, be and the same is hereby repealed.

SEC. 4. This act shall take effect and be in force from and after its passage, and shall apply to all cases in any of the courts of the State of

Ohio wherein prosecutions have been commenced and are now pending under said original sections 13 and 14, of chapter 8, of the above entitled act.

W. T. FORREST, D. WAGENER,
G. M. SALTZGABER, IRVINE DUNGAN.

Mr. Forrest moved that the substitute be laid on the table and ordered printed.

Which was agreed to.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 71—To provide for the sale of mortgaged personal property, having had the same under consideration, report it back, and recommend its indefinite postponement.

W. T. FORREST, G. M. SALTZGABER,
D. WAGENER, IRVINE DUNGAN.

Said report was agreed to.

Mr. Saltzgaber offered the following joint resolution:

S. J. R. No. 23—To provide for a drainage commission.

WHEREAS, There are large amount of lands in the State of Ohio, which in their present condition, are injurious to the general health, unfit for agriculture or other use, and wholly unprofitable by reason of lack of drainage, and

WHEREAS, By drainage such lands would be rendered fit for cultivation, the general health of people in their vicinity would be much improved, and the taxable and economic value of such lands much increased, and the general interests of State promoted, therefore,

Be it resolved by the General Assembly of the State of Ohio, That the Governor be and he is hereby authorized and directed to appoint, immediately after the adoption of this resolution, five competent and judicious persons, who shall be called the Drainage Commission, and whose duty it shall be to make a thorough examination, and report to the General Assembly as soon as practicable, the means and legislation necessary to ditch or drain wet lands in the State of Ohio.

Resolved, That the members of said Drainage Commission shall receive no compensation; but the actual and necessary expenses incurred by them shall be paid out of the State Treasury, and, provided, that such Commission may employ an engineer, if, in their opinion the same be necessary.

Said joint resolution, on motion, was referred to the committee on Drains and Drainage.

Mr. Lord presented the memorial of Wm. Sloan and other citizens of Ohio, relating to an appropriation for certain surveys.

Which was referred to the Committee on Geological Survey.

Mr. Forrest moved that the Senate proceed to the special order, viz:

H. B. No. 44—Mr. Sextro—To provide for the re-organization, government and better regulation of Longview Asylum, and to repeal certain acts therein named.

Which was agreed to.

The question being on Mr. Howland's motion to refer to a select committee of one, with instructions to amend.

On motion of Mr. Lord, the Senate took a recess until to-morrow morning at 10 o'clock.

THURSDAY, FEBRUARY 21, 1878—10 o'clock A. M.

The Senate met pursuant to recess.
Prayer by Rev. Mr. Manley.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the first, second, third and sixth Senate amendments, and has refused to concur in the fourth and fifth Senate amendments to the substitute for H. B. No. 1—Mr. Norton—To amend sections 1, 3, 4, 5, 10, 11, 14, 16, 17, 18, 19, 22, 23, 25, 27, 33, 35, 36 and 38, of chapter 2, of the act entitled "An act to consolidate, revise and amend the statutes relating to jails and the penitentiary, to be known as part 2, title 3, Jails and the Penitentiary," passed May 5, 1877, (O. L., volume 74,) to and supplementary to sections 39 and 40 to said chapter 2, and to repeal said original sections 1, 3, 4, 5, 10, 11, 14, 16, 17, 18, 19, 22, 23, 25, 27, 33, 35, 36 and 38.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Joy moved that the Senate insist on its amendments, in which the House has refused to concur.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 19, nays 15, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Curtiss, Fisher, Forrest, Howland, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Owens, Richards, Sabine, Sherrick, Steedman, Tyler, Wilson—19.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Grove, Irvine, Marsh, McDonald, Parker, Saltzgaber, Seitz, Stokes, Wagener, Williams —15.

So the motion was agreed to.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bill:

H. B. No. 45—Mr. Cowgill—To authorize the council of the city of Urbana, Ohio, to make a contract with the Urbana Water Works for a supply of water for fire and other purposes, for a period not exceeding ten years, and to levy taxes to pay the water rents to become due by the terms of said contract.

J. W. WASHBURN, WM. JESSUP,
DUNCAN DOW, IRVINE DUNGAN,
C. R. HARMON, R. G. RICHARDS.

Mr. Dungan submitted the following report:

The joint committee on Enrollment have examined and found correctly enrolled the following bill:

H. B. No. 123—Mr. O'Connor—To redistrict cities of the second class.

J. W. WASHBURN, DUNCAN DOW,
F. M. CARTER, C. R. HARMON,
A. D. MARSH, IRVINE DUNGAN,
WM. JESSUP, R. G. RICHARDS,
E. S. PERKINS, J. R. JOHNSTON.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

H. B. No. 123—Mr. O'Connor—To redistrict cities of the second class.

Attest: L. A. BRUNNER, *Clerk.*

The President *pro tem.* in presence of the Senate, signed said bill.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 251—Mr. Poe—Giving judgment debtors the right to redeem real property sold on execution.

H. B. No. 252—Mr. Poe—To authorize the appointment of Master Commissioners, and prescribing their duties and powers.

H. B. No. 253—Mr. Green—Supplementary to the act relating to criminal procedure.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 247—Mr. Johnson—To authorize the County Commissioners of Tuscarawas county to levy a tax to pay off an existing indebtedness on the fair grounds of said county.

H. B. No. 248—Mr. Herrick—To authorize the trustees of Ridgeville township, Lorain county, to transfer certain funds therein named to the general fund of said county.

H. B. No. 249—Mr. Herrick—To authorize the trustees of Grafton township, Loraine county, Ohio, to levy a tax to construct a vault, or receptacle for the dead.

H. B. No. 250—Mr. Van Cleaf—To create a sub-school district in Monroe township, Pickaway county, O.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the adoption of the following joint resolution:

S. J. R. No. 20—Mr. Marsh—Relating to occupancy of Berne bank of the Miami canal by the Narrow Gauge railroad company.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr President:

The House of Representatives has concurred in the Senate amendments to H. B. No. 104—Mr. Palmer—For the relief of the Board of Education of the Berea Union school district of Cuyahoga county, O.

And H. B. No. 102—Mr. Cowgill—To ascertain the number of soldiers' unmarked graves in Ohio.

Attest: L. A. BRUNNER, *Clerk.*

When the Senate took a recess, it had under consideration H. B. No. 44, the pending question being on Mr. Howland's motion to refer said bill to a select committee of one, with instructions to amend.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 21, nays 13, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Carson, Fisher, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Stokes, Wagener, Williams, Wilson—21.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Dungan, Forrest, Grove, Joy, Krimmel, Lord, Marsh, McDonald, Sherrick, Steedman, Tyler—13.

So the motion was agreed to, and Mr. Howland was appointed such committee.

Mr. Howland, on leave, submitted the following report:

The select committee of one, to whom was referred H. B. No. 44, with instructions to amend, reports the same back amended as instructed.

W. P. HOWLAND.

Mr. Johnston moved that said bill be referred to a select committee of one, with instructions to amend as follows:

"In line 1 of section 2, strike out the words 'commissioners of Hamilton county,' and insert in lieu thereof the following: 'Directors of the asylum.'"

On which motion the yeas and nays were demanded, taken, and resulted—yeas 8, nays 22, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Howland, Jackson of Clinton, Johnston, Kelley, Richards, Sabine—8.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Seitz, Steedman, Stokes, Tyler, Wagener, Williams, Wilson—22.

So the motion was disagreed to.

Mr. Forrest moved to refer the bill to a select committee of one, with instructions to amend section 33, by adding the following after the word "appropriations," at the end of said section:

"Provided, nevertheless, that all such buildings which are, or may hereafter become, necessary for the accommodation of the inmates of said asylum shall be built under the direction of the County Commissioners of Hamilton county, and the expense thereof shall be paid out of the funds of the State appropriated for Asylum purposes, upon the order of said Board of County Commissioners."

Mr. Steedman moved to recommit the bill and pending amendment to the standing committee on Benevolent Institutions.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

H. B. No. 45—Mr. Cowgill—To authorize the Council of the city of Urbana, Ohio, to make a contract with the Urbana water works for a supply of water for fire and other purposes, for a period not exceeding ten years, and to levy taxes to pay the water rents, to come due by the terms of said contract.

Attest: L. A. BRUNNER, *Clerk.*

The President, *pro tem.*, in presence of the Senate, signed said bill.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to—

H. B. No. 18—Mr. Booth—To facilitate the administration of justice in the third sub-division of the Fifth Judicial District.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives requests a committee of Conference on Senate amendments to substitute for—

H. B. No. 1—Mr. Norton—To amend sections 1, 3, 4, 5, 10, 11, 14, 16, 17, 18, 19, 22, 23, 25, 27, 33, 35, 36 and 38 of chapter 2, of the act entitled "An act to consolidate, revise, and amend the statutes relating to jails and the Penitentiary, to be known as part 2, title 3, jails and the Penitentiary," passed May 5, 1877, (O. L., vol. 74) and supplementary to sections 39 and 40 of said chapter 2, and to repeal said original sections 1, 3, 4, 5, 10, 11, 14, 16, 17, 18, 19, 22, 23, 25, 27, 33, 35, 36 and 38.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Curtiss moved that the Senate accede to the request of the House.

Which was agreed to.

The President appointed Messrs Joy, Krimmel and Curtiss such committee on part of the Senate.

On motion of Mr. Johnston, the Senate took a recess.

THREE O'CLOCK P. M.

Mr. Saltzgaber moved that S. J. R. No. 16 be taken from the table.

Which was agreed to.

The question being on the adoption of the joint resolution, the yeas and nays were taken, and resulted—yeas 24, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Saltzgaber, Seitz, Steedman, Wagener and Wilson—24.

Those who voted in the negative were—

Messrs. Carson and Stokes—2.

So the joint resolution was adopted.

Mr. Carlisle presented the petition of D. H. Ginder and 23 other citizens of Fairfield county, praying for the protection and enlargement of the canals of the State.

Which was referred to the committee on Public Works.

Mr. Steedman, on leave, introduced the following bill, which was read the first time:

S. B. No. 89—To create a board of public works in cities of the first class, which have been advanced to that grade between decennial periods.

Mr. Steedman, on leave, introduced the following bill, which was read the first time:

S. B. No. 90—To authorize the sale of railroads in certain cases.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has appointed, on the part of the House, Messrs. Norton, Meuser and Cowgill, as a Conference committee to consider the Senate amendments to substitute for H. B. No. 1—Mr. Norton.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolutions, in which the concurrence of the Senate is requested:

H. J. R. No. 29—Mr. Green—Instructing the Superintendent of the Hospital for the Insane, at Athens, to receive into said hospital Michael M. Green.

H. J. R. No. 20—Mr. Smith—To authorize the Adjutant-General to forward to the executive committee in the city of Marietta, battle flags, etc., for the reunion, to be held in September, A. D. 1878.

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Curtiss, H. J. R. No. 29, was referred to the committee on Benevolent Institutions.

On motion of Mr. Seitz, H. J. R. No. 20, was referred to the committee on Military Affairs.

Mr. Marsh offered the following joint resolution:

S. J. R. No. 24—*Be it resolved by the General Assembly of the State of Ohio*, That the Superintendent of the State House be, and he is hereby instructed to remove, or cause to be removed, the stained glass in the ceil-

ing of the Senate Chamber, and substitute in the place thereof glass of another color.

Said joint resolution, on motion, was referred to the committee on State Buildings.

Mr. Beebe presented the remonstrance of H. B. Foster and 95 other citizens of Hudson, Summit county, against the enactment of a law authorizing the village of Hudson to issue bonds for the purpose of building a town hall.

Which was referred to the committee on Municipal Corporations.

Mr. Stokes presented the petition of J. A. Steele and 24 other citizens of Warren county, memorializing against any change in the school law, as regards text books.

Which was referred to the committee on Common Schools and School Lands.

Mr. Seitz moved that the vote by which H. B. No. 22 was lost, be reconsidered. Which was agreed to.

On motion of Mr. Richards, said bill was laid upon the table.

Mr. Curtiss offered the following resolution, which was adopted:

S. R. No. 43—WHEREAS, The State has, as yet, no adequate provisions for the proper custody and care of the incurable insane; and,

WHEREAS, The interests of humanity demand that such provision be made; therefore, be it

Resolved, That the standing committee on Benevolent Institutions, of the Senate, be requested to ascertain from the Commissioners of Lucas county upon what terms the Lucas county Hospital for the Insane, with the land and appurtenances thereto attached, can be obtained for the use of the State.

Mr. Saltzgaber submitted the following report:

The stan ling committee on Judiciary to whom was referred S. B. No. 19—Mr. Owens—To amend an act entitled "An act to amend the 28th section of the act entitled an act of the jurisdiction and procedure before Justices of the Peace, and of the duties of Constables in civil cases," (S. & C., 776, and S. & S., 420), having had the same under consideration, report it back with the following amendments, and recommend its passage when so amended:

In line 7, section 1, strike out the first word—"The," and insert in its place the word "Any."

In the same line and section, after the word "defendant," insert the words "except the personal earnings of such defendant."

Also, in line 11, of same section, after the word "recover," insert "and that the property about to be attached is not the personal earnings of the defendant for services rendered by the defendant within three months prior to the commencement of said action."

In line 15 of same section, strike out the word "State," and insert in lieu thereof the word "county."

Arlso, in line 20, strike out the word "State" and insert instead the wo "county."

A the end of section 1 add the following: "And no attachment shall issue by virtue of this act against the personal earnings of any defendant for services rendered by such defendant within three months prior to the commencement of any action or the issuing of any attachment."

G. M. SALTZGABER, IRVINE DUNGAN,
W. P. HOWLAND, J. R. JOHNSTON,
D. WAGENER, W. T. FORREST.

Said amendments were agreed to.

The bill, as amended, was ordered to be printed and placed on the calendar for third reading to-morrow.

Mr. Fisher offered the following joint resolution:

S. J. R. No. 25—*Be it resolved by the General Assembly of the State of Ohio*, That the five hundred copies of the report of the Commissioner of Railroads and Telegraphs, for the year 1876, now temporarily in the care of the Secretary of State, be equally distributed among the members of this General Assembly.

The question being on the adoption of the joint resolution, the yeas and nays were taken, and resulted—yeas 24, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Fisher, Forrest, Howland, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Richards, Sabine, Seitz, Stokes, Tyler, Wagener and Wilson—24.

So the joint resolution was adopted.

Mr. Beebe submitted the following report:

The standing committee on Sanitary Laws and Regulations, to whom was referred H. B. No. 171—Mr. McCoy—Authorizing the county commissioners of certain counties in the State of Ohio, to levy an additional poor tax, having had the same under consideration, report it back, and recommend its passage.

D. D. Beebe, W. H. Stokes,
J. B. Williams, J. M. Armstrong.

Said bill was ordered to be engrossed and read the third time, now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 28, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Howland, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Richards, Sabine, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—28.

So the bill was passed. The title was agreed to.

Mr. Stokes submitted the following report:

The standing committee on Sanitary Laws and Regulations, to whom was referred S. B. No. 84—Mr. Lord—In addition to the laws now in force to prevent nuisances, and to repeal an act therein named, having had the same under consideration, report it back, and recommend its passage.

W. H. Stokes, D. D. Beebe,
J. M. Armstrong, G. W. Wilson,
J. B. Williams.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Williams submitted the following report:

The standing committee on Sanitary Laws and Regulations, to whom was referred H. B. No. 168—Mr. Bohl—To amend an act entitled "An act to require inn and boarding house keepers to provide suitable and sufficient fire escapes," having had the same under consideration, report it back, and recommend its passage.

J. B. Williams, J. M. Armstrong,
W. H. Stokes, D. D. Beebe.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Krimmel submitted the following report:

The committee on Benevolent Institutions, to whom was referred H. J. R. No. 29—Instructing the Superintendent of the Athens Asylum for the Insane to receive into said hospital Michael M. Green, having had the same under consideration, report it back, and recommend its adoption.

C. F. KRIMMEL, H. W. CURTISS,
GEO. P. TYLER, D. D. BEEBE.

The question being on the adoption of the joint resolution, the yeas and nays were taken and resulted—yeas 27, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Howland, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Richards, Sabine, Seitz, Steedman, Stokes, Tyler, Wagener and Wilson—27.

So the joint resolution was adopted.

Mr. Richards moved that the Senate proceed to the consideration of the special order, viz: H. B. No. 4.

Which was disagreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 254—Mr. Wales—To amend section 199 of an act entitled "An act to provide for the organization and government of municipal corporations," passed May 7, 1869, as amended April 18, 1870, (O. L., v. 66, p. 18, sec. 199), (O. L., v. 67, p. 68), passed March 29, 1875.

H. B. No. 255—Mr. Hitchcock--To authorize the township trustees of Munson township, Geauga county, to levy a tax for a certain purpose therein named.

H. B. No. 256—Mr. Sawyer—To authorize the commissioners of Auglaize county to borrow money.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 257—Mr. McCoy of Wayne—To authorize the incorporated village of Marshallville, in Wayne county, Ohio, to borrow money for the purchase of a steam fire engine and apparatus, the construction of cisterns, the purchase of a lot and the erection of an engine house.

H. B. No. 258—Mr. Danford--Providing for the repeal of an act entitled "An act to provide for the collection of delinquent taxes," passed May 2, 1877, (O. L., v. 74, p. 156).

H. B. No. 259—Mr. Wright—To enable and require trustees of colleges, acadamies and other institutions, formed in this State for pro-

moting education, the capital stock of which bears no dividends and have wholly or partially suspended for want of a sufficient endowment fund, to receive subscriptions of stock to endow the same.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Grove submitted the following report:

The standing committee on Reform Schools and Industrial School for Girls, to whom was referred S. B. No. 18—Mr. Krimmel—To reorganize the Reform School for Boys, having had the same under consideration, report it back, with following amendments, and recommend its passage when so amended:

1st. In line 4, sec. 1, strike out the words "for three years" and insert the following, "respectively for the term of one, two, three, four and five years, in the order of their appointment, and on the first day of March, annually thereafter, the Governor shall appoint one commissioner for the term of five years, and fill all vacancies that may occur."

2d. In section 2, line 3, strike out the word "creation" and insert "election," and in the same line insert the word "as" before "President."

Insert in line 10, after the word "and" these words, "he shall appoint by and with the advice and consent of the board."

Strike out all of the section after the word "officers" in line 10, sec. 1, and insert the following: "as in the judgment of the board the want of the institution may require, and the board shall prescribe the duties of said officers, remove them at pleasure and determine their salaries respectively. The superintendent shall exercise general supervision over the institution. A majority of the board shall constitute a quorum."

In line 8, strike out "they" and insert "the board."

3d. Strike out all of section 3.

4th. Strike out all of section 4, after the word "commissioners" and insert the following: "shall be allowed five dollars per diem for the time actually employed in the business of the institution for traveling and other expenses, but shall receive no other fees whatever, and this per diem shall not be for more than forty days in any one year."

5th. Strike out in line 1, sec. 6, the words, "with the approval of the Governor;" also in line 4 and 5, the words, "with the like approval."

6th. In line 2, sec. 7, strike out "in" and insert "to."

7th. Insert in line 1, sec. 9, after the word "sixteen" the words "nor under ten."

In line 2 strike out "justice of the peace and mayor."

Also in line 5, insert after the word "next," these words: "friends of any such youth supported by the sworn statement of two respectable witnesses."

In lines 6 and 10 strike out the words "vicious" and insert "criminal;" also strike out the word "vagrancy" in line 10.

8th. In sec. 10, line 3, strike out "or magistrate;" also strike out "farm" in line 4, and insert "school."

9th. In sec. 11, line 4, strike out "farm" and insert "school."

10th. Strike out all of section 12.

11th. In sec. 13, line 3, strike out "may" and insert "shall."

12th. In sec. 15, line 4, after the word "officer," insert "or other persons."

13th. The sections remaining to be numbered consecutively.

G. A. Grove, B. W. Carlisle,
John Seitz, Irvine Dungan.

Said amendments were agreed to, and the bill was ordered to be engrossed at the clerk's desk, and read the third time now, and was then read.

Mr. Richards moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 10, after the word "superintendent" insert "and matron."

Also in same line strike out the words "his office" and insert "their offices."

Said motion was agreed to, and Mr. Richards was appointed said committee.

Mr. Johnston moved that the vote by which the bill was referred to a select committee be reconsidered.

Which was agreed to.

The question recurring on Mr. Richard's motion to refer—

The same was disagreed to.

Mr. Wilson moved to re-commit the bill to a select committee of one, with instructions to amend as follows:

Add at the end of sec. 10, the following words: "an if any such youth shall be indicted and arraigned for trial in any court on a charge of any crime against any law of the State, the court may, with the consent of the accused, at any stage of the cause, arrest further proceedings on the part of the prosecution, and commit the accused to the reform farm."

Said motion was disagreed to.

Mr. Steedman moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out in line 4, sec. 6, the word "punishment" and insert in lieu thereof the word "correction."

Said motion was agreed to, and Mr. Steedman was appointed such committee.

Mr. Steedman on leave, submitted the following report:

The select committee of one to whom was referred S. B. No. 18, with instructions to amend, reports the same back amended as instructed.

Jas. B. Steedman.

Mr. Beer moved to amend section 1 by inserting in line 2, after the word "commissioners," "not more than one of which shall be a resident of Fairfield county."

Said motion was disagreed to.

Mr. Steedman moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out all of section 9 after the word 'restraint,' in line 8 of said section.

Said motion was agreed to, and Mr. Steedman was appointed such committee.

Mr. Steedman, on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No. 18, with instructions to amend, reports the same back amended as instructed.

Jas. B. Steedman.

Mr. Wilson moved to refer the bill to a select committee of one, with instructions to amend by striking out the words "or other," in line 2, section 8, and the words "municipal court," in line 3 of the same section.

Said motion was agreed to, and Mr. Wilson was appointed such committee.

Mr. Wilson, on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No. 18, with instructions to amend, reports the same back amended as instructed.

G. W. Wilson.

Mr. Johnston moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out of line 4, of section 9, the words "in the following cases: first."

Said motion was agreed to, and Mr. Johnston was appointed as such committee.

Mr. Johnston, on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No. 18, with instructions to amend, reports the same back amended as instructed.

J. R. Johnston.

The question being, "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays 8, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams —24.

Those who voted in the negative were—

Messrs. Beebe, Beer, Howland, Jackson of Clinton, Johnston, Kelley Sabine, Wilson—8.

So the bill was passed. The title was agreed to.

Mr. Richards moved that the vote by which said bill (S. B. No. 18) was passed be reconsidered.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 10, nays 23, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley, Richards, Sabine, Wilson—10.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams—23.

So the motion was disagreed to.

Mr. Lord moved that the Senate proceed with the special order, viz.: S. B. No. 3.

Which was agreed to.

On motion of Mr. Lord, the further consideration of said bill was postponed until Tuesday next, and made the special order of the day.

Mr. Krimmel submitted the following report:

The joint committee on Enrollment have examined and found correctly enrolled the following bill:

H. B. No. 18—Mr. Booth—To facilitate the administration of justice in the third subdivision of the Fifth Judicial District.

J. W. Washburn, Duncan Dow,
A. D. Marsh, C. R. Harmon,
F. M. Carter, E. S. Perkins,
Wm. Jessup, Irvine Dungan,
C. F. Krimmel.

Mr. Krimmel submitted the following report:

The joint committee on Enrollment have examined and found correctly enrolled the following bills:

H. B. No. 104—Mr. Palmer—For the relief of the Board of Education of the Berea union school district, of Cuyahoga county, Ohio.

H. B. No. 42—Mr. Covert—To maintain, or assist in maintaining, public libraries in certain cities.

H. B. No. 102—Mr. Cowgill—To ascertain the number of soldiers' unmarked graves in Ohio.

Duncan Dow, A. D. Marsh,
C. R. Harmon, F. M. Carter,
E. S. Perkins, Irvine Dungan,
J. W. Washburn, J. R. Johnston,
C. F. Krimmel.

Mr. Krimmel submitted the following report:

The joint committee on Enrollment have examined and found correctly enrolled the following bills:

H. B. No. 146—Mr. Quinby—To authorize the village council of the incorporated village of Sabina, Clinton county, Ohio, to issue and sell bonds to raise money to pay an existing indebtedness.

H. B. No. 135—Mr. Hardy, of Defiance—To authorize the trustees of Defiance township, Defiance county, to transfer certain funds therein mentioned.

H. B. No. 51—Mr. Clough—To authorize the Board of Education of Union township, Butler county, Ohio, to issue bonds to build a school house in sub-district No. 7.

H. B. No. 63—Mr. Hitchcock—For the relief of Newton Austin, treasurer of Montville township, Geauga county, Ohio.

A. D. Marsh, Duncan Dow,
J. W. Washburn, C. F. Krimmel,
F. M. Carter, R. G. Richards,
Wm. Jessup, J. R. Johnston.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 51—Mr. Clough—To authorize the Board of Education of Union township, Butler county, Ohio, to issue bonds to build a school house in sub-district No. 7.

H. B. No. 146—Mr. Quinby—To authorize the village council of the incorporated village of Sabina, Clinton county, Ohio, to issue and sell bonds to raise money to pay an existing indebtedness.

H. B. No. 135—Mr. Hardy, of Defiance—To authorize the trustees of Defiance township, Defiance county, to transfer certain funds therein mentioned.

H. B. No. 104—Mr. Palmer—For the relief of the Board of Education of the Berea Union school district, of Cuyahoga county, O.

H. B. No. 42—Mr. Covert—To maintain, or assist in maintaining, public libraries in certain cities.

Attest: L. A. BRUNNER, *Clerk.*

The President *pro tem.*, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

H. B. No. 18—Mr. Booth—To facilitate the administration of justice in the third sub-division of the Fifth Judicial District.

Attest: L. A. BRUNNER, *Clerk.*

The President *pro tem*, in presence of the Senate, signed said bill.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 102—Mr. Cowgill—To ascertain the number of soldiers' unmarked graves in Ohio.

H. B. No. 63—Mr. Hitchcock—For the relief of Newton Austin, treasurer of Montville township, Geauga county, Ohio.

Attest: L. A. BRUNNER, *Clerk.*

The President *pro tem.*, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills in which the concurrence of the Senate is requested:

H. B. No. 151—Mr. McCoy, of Wayne—To amend section six of the act entitled "An act to amend an act to exempt the homestead of families from forced sale on execution to pay debts," passed March 23, 1850; passed April 9, 1869, (66 O. L., 48).

H. B. No. 14—Mr. Haley—To amend section twenty-eight of the code of civil procedure, passed March 30, 1874.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 260—Mr. McCoy, of Wayne—To authorize the county commissioners of Wayne county to build a Court House.

H. B. No. 261—Mr. Douglass—To amend an act entitled "An act to provide for the erection of a Town Hall and place for holding elections in the town of Vermillion, Erie county, Ohio," passed April 12, 1869, (Vol. 66, pp. 376 and 377).

H. B. No. 262—Mr. Sage—Supplementary to an act entitled "An act to provide for the straightening, cleaning out, widening, deepening and otherwise improving certain ditches, drains and water courses in Wood county, Ohio, passed April 11, 1876, (O. L., vol. 63, p. 303).

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 263—Mr. Luccock—To amend an amendment of section seven of "An act to provide against the evils resulting from the sale of intoxicating liquors in the State of Ohio," passed May 1, 1854, (S. & C., 1431,) and amended April 8, 1870, and amended February 18, 1875.

H. B. No. 264—Mr. Williams—To amend section three of an act concerning the relation of Guardian and Ward, passed April 12, and took effect July 1, 1858, (S. & C., 670).

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time.

H. B. No. 265—Mr. Williams—To divide Alliance precinct, in the township of Lexington and county of Stark, into two election precincts.

H. B. No. 266—Mr. Van Cleaf—To require private bankers to make semi-annual statements and publish the same.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 183—Mr. Reed, of Ross—To amend section two of an act entitled "An act prescribing the rate of taxation for county, bridge, road and township purposes, and to repeal certain acts therein named," passed April 19, 1877. (Ohio Laws, 74, page 95.)

H. B. No. 116—Mr. Cowgill—To authorize the village council of the incorporated village of Mechanicsburg, Champaign county, Ohio, to levy a tax and issue bonds for building a town hall, engine room and jail.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the adoption of the following joint resolutions:

S. J. R. No. 25—Mr. Fisher—Providing for the distribution of the report of the Commissioner of Railroads and Telegraphs for the year 1878.

S. J. R. No. 16—Mr. Saltzgaber—Relative to providing better ventilation for the State House.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Johnston offered the following resolution, which was adopted:

S. R. No. 44—*Resolved*, That the use of the Senate Chamber be tendered on to-morrow, February 22, from and after 1 o'clock p. m., to the veteran soldiers of the Mexican war, for the purpose of permitting them to hold their annual reunion.

On motion of Mr. Carlisle, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

FRIDAY, FEBRUARY 22, 1878—10 o'clock, A. M.

The Senate met pursuant to adjournment.

Prayer by Rev. Joseph M. Trimbell.

The Journal was read and approved.

Mr. Carlisle presented the petition of John Shumaker and 23 other citizens of Fairfield county, praying for the preservation and enlargement of the canals of the State.

Which was referred to the committee on Public Works.

Mr. Joy presented the remonstrance of R. H. Holliday and 36 other citizens of Hancock county, protesting against any change in the present school law in regard to text books, etc.

Which was referred to the committee on Common Schools.

Mr. Stokes presented the petition of David Merring and 100 other citizens of Warren county, praying that no alteration may be made in the present school law, as regards text books.

Which was referred to the committee on Common Schools.

Mr. Carlisle presented the petition of J. M. Work, John Kagey and 17 other citizens of Fairfield county, asking for a special school district in Rushcreek township, in said county.

Which was referred to committee on Common Schools and School Lands.

Bills were read the second time and referred as follows:

H. B. No. 110—Mr. Stubbs—To add additional territory to West Elkton school district, and to create West Elkton special school district.

To committee on Common Schools and School Lands.

H. B. No. 75—Mr. Palmer—To establish a sub-school district in Olmstead township, Cuyahoga county.

To the committee on Common Schools and School Lands.

H. B. No. 13—Mr. Johnston—To change the surname of persons therein named.

To committee on Unfinished Business.

S. B. No. 87—Mr. Forrest—To establish the appellate court of Hamilton county.

To the committee on Judiciary.

S. B. No. 88—Mr. Dungan—To fix the time for holding an additional term of the district court in Jackson county.

To committee on Judiciary.

H. B. No. 151—Mr. McCoy of Wayne—To amend section 6 of the act entitled "An act to amend an act to exempt the homestead of families from forced sale on execution to pay debts," passed March 23, 1850; passed April 9, 1869, (66 O. L., 48).

To committee on Judiciary.

H. B. No. 14—Mr. Haley– To amend section 28 of the code of civil procedure, passed March 30, 1874.

To committee on Judiciary.

H. B. No. 116—Mr. Cowgill—To authorize the village council of the incorporated village of Mechanicsburg, Champaign county, Ohio, to levy a tax and issue bonds for building a town hall, engine room and jail.

To the committee on Finance.

H. B. No. 183—Mr. Reed of Ross—To amend section 2 of an act entitled "An act prescribing the rate of taxation for county, bridge, road and township purposes, and to repeal certain acts therein named," passed April 19, 1877, (O. L., 74, p. 95).

To committee on Roads and Highways.

Mr. Johnston moved that H. J. R. No. 8—Mr. Estill—Instructing Senators and requesting Representatives in the National Congress to vote for bill granting pensions to surviving soldiers, and to widows of the deceased soldiers, of the Mexican war—be taken from the table.

Which was agreed to.

The question being on the adoption of the joint resolution, the yeas and nays were taken, and resulted—yeas 22, nays 9, as follows:

Those who voted in the affirmative were—

Messrs. Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Johnston, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Steedman, Stokes, Tyler, Wagener and Williams—22.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Benson, Howland, Kelley, Richards, Sabine, Seitz and Wilson—9.

So the joint resolution was adopted.

Mr. Sabine moved that S. B. No. 65 be referred to the committee on Drains and Drainage.

Which was agreed to.

Mr. Sherrick submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 194—Making appropriations for deficiencies, and partial appropriations for the year 1878, having had the same under consideration, report it

back, and recommend that all after the enacting clause be struck out and the substitute accompanying the report adopted.

J. Sherrick, J. M. Carson,
Irvine Dungan, H. W. Curtiss,
H. C. Lord, Thos. M. Beer.

Mr. Sherrick moved that the report of the committee be laid upon the table, and that the substitute be printed in advance of other matter.

Which was agreed to.

H. B. No. 141—Mr. Guthery—To authorize the council of the incorporated village of Prospect, in Marion county, to issue bonds to buy a fire engine, and to build a fire engine house for the use of said village.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 28, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Johnston, Joy, Kelley, Krimmel, Lord, McDonald, Owens, Parker, Richards, Sabine, Sherrick, Steedman, Stokes, Tyler, Wagener and Wilson—28.

So the bill was passed. The title was agreed to.

H. B. No. 12—Mr. Bohl—To amend sections 18, 19 and 20 of an act for the reorganization and maintenance of common schools, (O. L., v. 70, 1873, pp. 198–9), passed May 1, 1873.

Was read the third time.

Mr. Beer moved that the bill be referred to a select committee of one, with instructions to amend as follows:

In section 18, by striking out in line 22, after the words "to the," to the words "said district," and insert instead thereof "Clerk of the Board of Education of."

Which was agreed to, and Mr. Beer was appointed such committee.

Mr. Beer, on leave, submitted the following report:

The select committee of one, to whom was referred H. B. No. 12, with instructions to amend, reports the same back amended as instructed.

Thos. M. Beer.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 10, nays 22, as follows:

Those who voted in the affirmative were—

Messrs. Carson, Grove, Irvine, Krimmel, Marsh, Owens, Parker, Seitz, Stokes and Williams—10.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Fisher, Forrest, Howland, Jackson of Clinton, Johnston, Joy, Kelley, Lord, McDonald, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Tyler, Wagener and Wilson—22.

So the bill having failed to receive a constitutional majority, was lost.

Mr. Tyler asked for and obtained leave of absence until Tuesday next, on account of sickness in his family.

Mr. Curtiss submitted the following report:

The committee of conference, to whom was referred matters of difference between the two houses upon H. B. No. 1, report the same back

with the recommendation that the House concur in the Senate amendments.

D. Joy,
C. F. Krimmel,
H. W. Curtiss,
Senate Committee.

J. G. Meuser,
Henry Hardy,
Thos. A. Cowgill,
House Committee.

H. B. No. 65—Mr. Jessup—To amend an act entitled "An act for the relief of the poor, and to repeal certain acts therein named," passed April 12, 1876, (L. O., vol. 73, p. 231).

Was read the third time.

Mr. Johnston moved to refer the bill to a select committee of one, with instructions to amend as follows:

At the end of section 1, add the following: "and the services so rendered shall be paid for out of the township fund of the township in which the services have been rendered."

Which was disagreed to.

Mr. Saltzgaber moved to refer the bill to a select committee of one, with instructions to amend as follows:

Insert in line 9, section 1, after the word "may," the words "have been."

Which was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 30, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine. Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams, and Wilson—30.

Mr. Saltzgaber voted in the negative—1.

So the bill was passed. The title was agreed to.

Mr. Curtiss moved that the report of the conference committee of the two Houses on their differences on H. B. No. 1, be adopted.

On which motion the yeas and nays were taken, and resulted—yeas 22, nays 10, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Curtiss, Dungan, Fisher, Forrest, Grove, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sherrick, Steedman, Stokes, Tyler and Williams—22.

Those who voted in the negative were—

Messrs. Carlisle, Carson, Howland, Jackson of Clinton, Parker, Sabine. Saltzgaber, Seitz, Wagener and Wilson—10.

So said report was adopted.

H. B. No. 113—Mr. Dodds—To provide for the better organization of corporations designated as the Widows' Home and Asylum for Aged and Indigent Women.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 30, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Howland, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Wilson—30.

Mr. Irvine voted in the negative—1.

So the bill passed. The title was agreed to.

S. B. No. 19—Mr. Owens—To amend an act entitled "An act to amend the 28th section of the act entitled an act of the jurisdiction and procedure before justices of the peace, and of the duties of constables in civil cases." (Swan & Critchfield, 776, and Swan & Sayler, 420.)

Was read the third time.

Mr. Howland moved to refer the bill to a select committee of one with instructions to amend by striking out the word "State," in line 35, section 1, and insert "county."

Which was agreed to, and Mr. Howland was appointed such committee.

Mr. Howland, on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No. 19, with instructions to amend, reports the same back amended as instructed.

W. P. Howland.

Mr. Forrest moved that the bill be laid upon the table, and be made the special order for Wednesday next.

Which was agreed to.

Mr. Lord moved that the consideration of S. B. No. 84 be postponed until Tuesday next.

Which was agreed to.

H. B. No. 168—Mr. Bohl—To amend an act entitled "An act to require inn and boarding house keepers to provide suitable and sufficient fire escapes."

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 9, nays 19. as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Carson, Irvine, Marsh, Steedman, Stokes, and Tyler—9.

Those who voted in the negative were—

Messrs. Curtiss, Dungan, Fisher, Forrest, Grove, Jackson of Clinton, Johnston, Kelley, Lord, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Wagener and Wilson—19.

So the bill having failed to receive a constitutional majority was lost.

Mr. Armstrong submitted the following report:

The select committee of four—Senators from Hamilton county—to whom was referred S. B. No. 6—Mr. Forrest—To prescribe the duties of county commissioners in counties containing cities of the first-class, having a population exceeding one hundred and eighty thousand—having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

Strike out the word "twelve," in line 10, of section 3, and insert the word "eight."

Strike out the words "except when," in line 17, of section 3, and insert "and all sums thus received shall be, by said clerk, entered in a book kept for that purpose, and the gross amount thus received shall, by said clerk, be paid into the County Treasury and credited to the fee

fund; provided, however, that when any such transcripts, orders and certificates shall be."

Strike out the words "in which cases," in line 18, of section 3.

Add: SEC. 5. That all books, papers, plats, records, journals, petitions, and every other matters and things whatever in any wise relating or appertaining to, or necessary to the business of the Board of County Commissioners, and to county and State roads, free turnpikes, and all applications for road improvements, and all accompanying papers now or heretofore in the custody or under control of the County Auditor of said county, or on file in the office of said Auditor, shall immediately after the passage of this act, be, by said County Auditor, placed in charge of said Board of County Commissioners, to be kept by them in some convenient place in their office, open at all times to the inspection of the public.

SEC. 6. That in all such counties, all plats, profiles and surveys, or applications for road improvements, when the application fails, and the County Commissioners refuse to order the construction of the road, shall be carefully preserved in the office of said Board of County Commissioners; and in case a new application for the same road, or any part of the same road be made, and said plats, profiles or surveys, or any part thereof, be used by County Commissioners, (the authority to do which is hereby conferred on said Board of County Commissioners) the persons originally charged with the cost of the same shall be paid for, all, or such part or parts of said plats, profiles or surveys as may be so used in the manner now provided by law.

SEC. 7. All acts and parts of acts in conflict with the provisions of this act are to be held and taken to be inoperative in such counties as contain a city of the first-class, having a population of one hundred and eighty thousand at the last federal census."

Strike out the figure "5," after the word "Sec.," in line 1, of section 5, and insert the figure "8."

H. C. LORD, W. T. FORREST,
J. M. ARMSTRONG, THEO. MARSH.

Said amendments were agreed to, and the bill was ordered to be laid upon the table and printed.

On motion of Mr. Steedman the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk*.

SATURDAY, FEBRUARY 23, 1878—10 o'clock A. M.

The Senate met pursuant to adjournment.
Prayer by Rev. J. M. Trimble.
The Journal was read and approved.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has refused to concur in the report of the Conference Committee on Senate amendments to substitute for H. B.

No. 1, by Mr. Norton, and request the appointment of another Committee of Conference.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Fisher moved that the request of the House be acceded to.

Which was agreed to.

The President appointed Messrs. Fisher, Lord and Johnston such committee on part of the Senate.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 69—Mr. Armstrong—Supplementary to the act entitled "An act to create a Board of Public Works in certain cities having a population of one hundred and fifty thousand and upwards at the last federal census," passed March 17, 1876.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 267—Mr. Fenton—To amend an act entitled "An act to amend section twenty-four of an act for the relief of the poor, and to repeal certain acts therein named," passed April 12, 1876, (O. L., vol. 73, p. 233); passed February 23, 1877, (O. L., vol. 74, p. 32).

H. B. No. 268—Mr. Dalzell—To make the Bible a text-book in the common schools.

H. B. No. 269—Mr. Harmon—Creating a special school district in Palmyra township, Portage county.

H. B. No. 270—Mr. Hendrick—To authorize compensation to be paid to Boards of Equalization and their assistants, in certain cities.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 271—Mr. Mackey—To create a special school district in Springfield township, Mahoning county.

H. B. No. 272—Mr. Wright—To amend an act entitled "An act supplementary to an act entitled an act supplementary to an act to provide for the organization and government of municipal corporations," passed May 5, 1877, (O. L., vol. 74, p. 185).

H. B. No. 273—Mr. Estill—To amend section eleven of the act entitled "An act relating to jurors," passed March 9, 1876.

H. B. No. 274—Mr. Booth—To amend section fifty-two of "An act for the reorganization and maintenance of common schools," passed May 1, 1873, (70, O. L., 195).

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 148—Mr. Hostetter—To provide for keeping in repair the gravel and macadamized and volunteer roads located and constructed under the laws of the State, and to repeal certain acts therein named.

H. B. No. 5—Mr. Hart—To amend an act entitled "An act supplementary and amendatory of the act entitled an act to amend sections two, four and twenty-four of an act entitled an act to preserve the purity of elections," passed May 17, 1877, (Vol. 74, 211,) and to repeal certain sections thereof.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bill has been introduced in the House of Representatives and read the first time:

H. B. No. 275—Mr. Bohl—To reorganize Idiotic and Imbecile Asylums.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested:

H. J. R. No. 30—Mr. Morrey—Authorizing the Governor to issue his warrant directing Edwin A. Doudua to be conveyed to the Reform Farm for boys.

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Seitz, said joint resolution was referred to the committee on Reform School.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill in which the concurrence of the Senate is requested:

Substitute for H. B. No. 69—Mr. Van Cleaf—To provide for the regulation and management of hospitals for the insane, to constitute chapter 14—S. J.

seven of title five, of part one of the statute to revise the general laws.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Dungan submitted the following report:

The joint committee on Enrollment have examined and found correctly enrolled, the following bill:

S. B. No. 69—Mr. Armstrong—An act supplementary to an act entitled "An act to create a Board of Public Works in certain cities having a population of one hundred and fifty thousand and upwards at the last federal census," passed March 17, 1876.

IRVINE DUNGAN, J. R. JOHNSTON,
F. M. CARTER, WM. JESSUP,
C. R. HARMON, C. F. KRIMMEL.

Mr. Carlisle presented the petition of G. W. Panebecker, John Stukey and forty-one other citiens of Fairfield county, praying for the preservation and improvement of the canals of the State.

Which was referred to the committee on Public Works.

Bills were read the second time and referred as follows:

S. B. No. 89—Mr. Steedman—To create a board of Public Works in cities of the first class which have been advanced to that grade between decennial periods.

To committee on Municipal Corporations.

S. B. No. 90—Mr. Steedman—To authorize the sale of railroads in certain cases.

To committee on Municipal Corporations.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the Senate amendments to H. B. No. 141—Mr. Guthery—To authorize the council of the incorporated village of Prospect, in Marion county, to issue bonds to buy a fire engine and build a fire engine house, for the use of said village.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Carlisle, on leave, introduced the following bill, which was read the first time:

S. B. No. 91—To create a special school district in Rush Creek township, Fairfield county, O.

Mr. Saltzgaber, on leave, introduced the following bill, which was read the first time:

S. B. No. 92—To amend sections 9, 10 and 11 of an act entitled "An act defining the duties of coroners and sheriffs in certain cases," passed February 25, 1824.

Mr. Williams, on leave, introduced the following bill, which was read the first time:

S. B. No. 93—To authorize the trustees of Center township, Monroe county, Ohio, to levy a tax to pay a bond issued for local bounty of George Drake.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

S. B. No. 69—Mr. Armstrong—Supplementary to the act entitled "An act to create a Board of Public Works in certain cities having a population of 150,000 and upwards at the last federal census," passed March 17, 1876.

Attest: L. A. BRUNNER, *Clerk.*

The President *pro tem.*, in presence of the Senate, signed said bill.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has appointed Messrs. Hume, Mackey and Alexander, on the part of the House, to consider Senate amendments to H. B. No. 1—Mr. Norton.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Dungan submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 88—"To fix the time for holding an additional term of the district court of Jackson county," having had the same under consideration, report it back, and recommend its passage.

IRVINE DUNGAN, J. R. JOHNSTON,
D. WAGENER, G. M. SALTZGABER,
LYMAN J. JACKSON.

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, McDonald, Owens, Saltzgaber, Seitz, Wagener, Williams, Wilson—22.

So the bill passed. The title was agreed to.

Mr. Dungan submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 21—"To amend an act entitled an act to authorize the county commissioners to offer reward for the detection of horse thieves," having had the same under consideration, report it back without recommendation.

IRVINE DUNGAN, J. R. JOHNSTON,
D. WAGENER, G. M. SALTZGABER,
LYMAN J. JACKSON.

The bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Dungan submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 79—"For the greater security of land titles in the State of Ohio," having

had the same under consideration, report it back, and recommend its indefinite postponement.

IRVINE DUNGAN, J. R. JOHNSTON,
D. WAGENER, G. M. SALTZGABER,
LYMAN J. JACKSON.

Mr. Johnston moved that said report be laid on the table.

Which was agreed to.

Mr. Johnston submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 75—For the relief of James Webster and L. H. Wise, having had the same under consideration, report it back, and recommend its passage.

IRVINE DUNGAN, D. WAGENER,
G. M. SALTZGABER, J. R. JOHNSTON.

Said bill was ordered to be engrossed and read the third time now, and was then read.

Mr. Saltzgaber moved o refer the bill to a select committee of one, with instructions to amend as follows:

Insert, at the end of section 1, 'Provided that said parties first execute to the State a quit claim deed.'

Said motion was agreed to, and Mr. Saltzgaber was appoinetd such committee.

Mr. Seitz moved to reconsider the vote by which H. B. No. 168 was lost.

Which was disagreed to.

Mr. Saltzgaber, on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No. 75, with instructions to amend, reports the same back amended as instructed.

G. M. SALTZGABER.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 21, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Curtiss, Dungan, Fisher, Grove, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, McDonald, Owens, Saltzgaber, Seitz, Wagener, Williams and Wilson—21.

Mr. Carson voted in the negative—1.

So the bill passed. The title was agreed to.

Mr. Carlisle, on leave, introduced the following bill, which was read the first time:

S. B. No. 94—For the better organization and management of the imbecile asylum.

Mr. Johnston submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 45—Providing for the redemption of real property, or any interest therein, sold on execution or order of sale, and providing for the issuing of certificates of purchase in such cases, and for the execution of conveyances, and repealing all laws in conflict therewith, having had the same under consideration, report it back without recommendation.

J. R. JOHNSTON, IRVINE DUNGAN,
D. WAGENER, G. M. SALTZGABER.

Said bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Johnston submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 68—Relative to indexing pending suits and executions not dormant, having had the same under consideration, report it back with following amendments, and without recommendation.

In line 4, of section 1, strike out "shall" and insert "may."

In line 1, of section 2, strike out "shall" and insert "may."

J. R. Johnston. Irvine Dungan,
D. Wagener, G. M. Saltzgaber.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Johnston submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 81—To provide for the disposition of unclaimed deposits and dividends, having had the same under consideration, report it back with the following amendments, and recommend its passage when so amended:

In line 3, of section 1, strike out the words "State Treasurer," and insert in lieu thereof "Treasurer of the county in which they may be located."

In line 3, of section 2, strike out the word "state."

In line 5, of section 2, after the word "Treasurer," insert "on the warrant of the County Auditor."

In line 1, of section 3, strike out the word "state."

In line 2, of section 3, strike out the word "revenue."

Strike out all of section 4 and insert the following:

"Section 4. In case of the failure of any such bank or banking association to make the report herein required, for a period of thirty days after the time fixed by this act, it shall be the duty of the Court of Common Pleas or a judge thereof, upon application of the County Treasurer, to appoint a suitable and competent person to examine the books of each bank or banking association, who shall make the report herein provided for, and if such bank or banking association shall fail to pay over any moneys that may be in their hands as shown by the report, it shall be, and hereby is made the duty of the Prosecuting Attorney of the proper county to forthwith bring an action in the name of the county, to recover the same, which moneys, when so recovered, shall be paid into the Treasury in accordance with the provisions of this act."

Add: "Section 5. This act shall take effect and be in force from and after its passage."

W. T. Forrest, Irvine Dungan,
W. P. Howland, D. Wagener,
J. R. Johnston.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Krimmel moved that substitute for H. B. No. 194 be made the special order for Monday next.

On which motion the yeas and nays were ordered, taken, and resulted—yeas 20, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Irvine, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, McDonald, Owens, Saltzgaber, Seitz, Wagener, Williams and Wilson—20.

So the motion was agreed to.

Mr. Fisher moved to reconsider the vote by which H. B. No. 12 was lost.

Which was agreed to.

Mr. Fisher moved that a message be sent to the House requesting the return of H. B. No. 12.

Which was agreed to.

Mr. Johnston submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 55—To provide for the better regulation of sales on execution and orders of sale, having had the same under consideration, report back the accompanying substitute and recommend the passage of the same:

SECTION 1. *Be it enacted, by the General Assembly of the State of Ohio*, That whenever any property, real or personal, shall be sold by virtue of an execution, or order of court, and the purchaser thereof shall neglect or refuse to pay the purchase money, on motion of the officer making such sale, or of any party interested in the action, five days' notice thereof having been given; and if, upon hearing, the court shall find that the said sale has been made in all respects in accordance with law, and that the purchaser shows no good cause for not paying said purchase money, the court from which the execution or order aforesaid issued shall enter a judgment in favor of the officer making such sale, for the use of the parties entitled to the proceeds thereof, against such purchaser for the amount of said purchase money, with interest thereon from the day of sale, and the costs of said motion and judgment; and upon the entry of such judgment, an entry shall be made confirming the sale and ordering the sheriff to execute and deliver to said purchaser a deed for the property sold, upon the payment of said judgment and costs.

SEC. 2. The court from which any execution or order of sale shall have issued, shall, upon notice and motion of such officer, or interested party, punish as for contempt, any purchaser failing to pay the purchase money as aforesaid.

SEC. 3. This act shall take effect and be in force from and after its passage.

J. R. JOHNSTON, IRVINE DUNGAN,
D. WAGENER, G. M. SALTZGABER.

Mr. Curtiss moved that the report be laid upon the table, and that the substitute be printed.

Which was agreed to.

On motion of Mr. Kelley, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk*.

MONDAY, FEBRUARY 25, 1878—10 o'clock A. M.

The Senate met pursuant to adjournment.

Prayer by Rev. I. F. Stidham.

The Journal was read and approved.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives accedes to the request of the Senate

and herein returns H. B. No. 12—Mr. Bohl—To amend sections 18, 19 and 20 of an act for the reorganization and maintenance of common schools, (O. L., v. 70, 1873, pp. 198 and 199), passed May 1, 1873.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Fisher moved that said bill be laid upon the table.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 89—Mr. Norton—To authorize incorporated villages and cities to purchase steam fire engines.

H. B. No. 276—Mr. Crosson—To give proper effect to an act therein named.

Attest: L. A. BRUNNER, *Clerk.*

Said bills was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 63—Mr. Carson—To authorize the board of education of Ada union school district of Ada, Hardin county, Ohio, to issue bonds and levy a tax for the payment of the same to erect and furnish additional school buildings.

Attest: L. A. BRUNNER, *Clerk.*

Bills were read the second time and referred as follows:

H. B. No. 148—Mr. Hostetter—To provide for keeping in repair the gravel and macadamized and volunteer roads located and constructed under the laws of the State, and to repeal certain acts therein named.

To committee on Roads and Highways.

H. B. No. 5—Mr. Hart—To amend an act entitled "An act supplementary and amendatory of the act entitled an act to amend sections 2, 4, and 24, of an act entitled an act to preserve the purity of elections," passed May 17, 1877, (vol. 74, 211,) and to repeal certain sections thereof.

To committee on Judiciary.

Substitute for H. B. No. 69—Mr. Van Cleaf—To provide for the regulation and management of hospitals for the insane, to constitute chapter 7 of title 5, of part 1, of the statute to revise the general laws.

To committee on Benevolent Institutions.

S. B. No. 91—Mr. Carlisle—To create a special school district in Rush Creek township, Fairfield county, Ohio.

To committee on Common Schools and School Lands.

S. B. No. 92—Mr. Saltzgaber—To amend sections 9, 10 and 11, of an act entitled "An act defining the duties of sheriffs and coroners in certain cases," passed February 25, 1824, (S. & C., p. 1397.)

To committee on Judiciary.

S. B. No. 93—Mr. Williams—To authorize the trustees of Center

township, Monroe county, Ohio, to levy a tax to pay a bond issued for local bounty of George Drake.

To committee on Claims.

S. B. No. 94—Mr. Carlisle—For the better organization and management of the imbecile asylum.

To committee on Soldiers' and Sailors' Orphans' Home and School for Imbecile Youth.

Mr. Beer submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 154—Mr. Herrick—To authorize the commissioners of Lorain county to invest surplus funds in United States registered bonds, having had the same under consideration, report it back, and recommend its passage.

J. Sherrick, Thos. M. Beer,
Irvine Dungan, H. W. Curtiss,
J. M. Carson, H. C. Lord,
John Seitz.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Forrest offered the following joint resolution:

S. J. R. No. 26—*Be it resolved by the General Assembly of the State of Ohio*, That the Sixty-third General Assembly adjourn *sine die* at 12 o'clock M., of Friday, April 5, 1878.

Mr. Seitz moved that the joint resolution be referred to the committee on the Judiciary.

Which was agreed to.

Mr. Forrest offered the following resolution:

S. R. No. 45—*Resolved*, That S. R. No. 21, passed January 11, 1878, be and the same is hereby rescinded.

Mr. Johnston moved that said resolution be referred to committee on Finance.

Which was agreed to.

On motion of Mr. Seitz, the Senate went into committee of the whole for the consideration of H. B. No. 194, and after some time spent therein, arose, reported progress, and asked leave to sit again.

Which was granted.

On motion of Mr. Seitz the Senate went into committee of the whole, for the consideration of S. B. No. 49, and after some time spent therein, arose, reported progress and asked leave to sit again.

Which was granted.

On motion of Mr. Richards, the Senate took a recess.

THREE O'CLOCK P. M.

Mr. Owens offered the following joint resolution:

S. J. R. No. 27—Authorizing the Adjutant General to loan battle flags, artillery, muskets and infantry accoutrements to the executive committee of the "soldiers' and sailors' society of Licking county" to be used at a reunion of ex-soldiers and sailors, to be held in the "Ancient Fort" at Newark, Ohio, on the 22d of July, 1878—the anniversary of the death of General McPherson.

Be it resolved by the General Assembly of the State of Ohio, That the Adjutant General be, and he is hereby authorized, to forward to the executive

committee of the "soldiers' and sailors' society of Licking county," on or before the 19th day of July, 1878, all the battle flags in his custody, of regiments that will be represented, at a reunion of ex-soldiers and sailors to be held under the auspices of said society, at Newark, Ohio, said flags to be exhibited only under cover, and returned by said committee in good order immediately on the adjournment of said reunion, and the Adjutant General is hereby authorized, in like manner, at said time, to ship to said committee, two pieces of artillery and five hundred muskets and infantry accoutrements complete; provided, the same are to be returned in good order with the battle flags, without any expense to the State of Ohio.

Said joint resolution, on motion, was referred to committee on Military Affairs.

Mr. Krimmel offered the following joint resolution:

S. J. R. No. 28—*Be it resolved by the General Assemb'y of the State of Ohio*, That William A. Neil, of Columbus, Ohio, is hereby authorized to bring an action, in the court of common pleas, of Franklin county, Ohio, against said State of Ohio for the recovery of such compensation as may be just and reasonable for the closure, by the state of Ohio, of a part of a certain street in the city of Columbus, then called "Last street" and now called "Randolph street," and appropriating the same to the use of the Ohio Penitentiary. Said action shall be proceeded in to final judgment in said court according to the code of civil procedure. Service of summons in the commencement of said action may be made on the Attorney General for the state, and the service of all notice, order, etc., which may be necessary in the prosecution of said action shall be complete if made upon said Attorney General, who is hereby authorized and directed to defend said action when brought, and that said action shall be tried and decided upon fair, just and equitable principles between the parties.

Said joint resolution was, on motion, referred to the committee on the Judiciary.

Mr. Richards, on leave, introduced the following bill, which was read the first time:

S. B. No. 95—To authorize the township trustees of Hudson township Summit county, Ohio, to raise money and to build a town hall.

Mr. Richards submitted the following report:

The standing committee on Reform School and Industrial School for Girls, to whom was referred H. J. R. No. 30—Mr. Morrey—Authorizing the Governor to issue his warrant directing Edwin A. Doudna to be conveyed to the reform farm for boys—

Having had the same under consideration, report it back, and recommend its adoption.

R. G. Richards, Thos. M. Beer,
G. A. Grove, Irvine Dungan.

Mr. Wilson moved that said joint resolution be laid upon the table.

Which was agreed to.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 5—Mr. Hart—To amend an act entitled "An act supplementary and amendatory of an act entitled An act to amend sections 2, 4, and 24, of an act entitled An act to preserve the purity of elections," passed May 17, 1877, (vol. 74, 211), and to repeal certain sections thereof—

Having had the same under consideration, report it back, and recommend its passage.

W. T. Forrest, D. Wagener,
Irvine Dungan, Lyman J. Jackson.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Lord submitted the following report:

The standing committee on Geological Survey, to whom was referred S. B. No. 82—Mr. Lord—To authorize the Archæological Association of Ohio to make accurate surveys and descriptions of the pre-historic works of the State, and to collect pre-historic relics for a State cabinet of archæology, to remain forever the property of the State—

Having had the same under consideration, report it back, and recommend its passage.

H. C. Lord, Irvine Dungan,
W. H. Stokes, James W. Owens,
J. R. Johnston.

Said bill was ordered to be engrossed and read the third time to-morrow.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 277—Mr. Loder—To amend section eleven of an act supplementary and amendatory of the act entitled "An act to amend sections two, four and twenty-four of an act entitled an act to preserve the purity of elections.

H. B. No. 278—Mr. Booth—To change the time for holding the September term of the court of common pleas in Franklin county, in the year 1878.

H. B. No. 279—Mr. Booth—Supplementary to the act entitled "An act for the better security of head contractors, sub-contractors and material men, and to repeal certain acts therein named," passed May 4, 1877.

H. B. No. 280—Mr. Elliot—To retain a special school district in Brown township, Delaware county, Ohio.

Attest: L. A. Brunner, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives, and read the first time:

H. B. No. 281—Mr. Worley—To require school boards to construct fences between school and private property.

H. B. No. 282—Mr. Stubbs—To compel owners of hedge fences on partition lines and along public highways to keep the same within certain limits.

H. B. No. 283—Mr. Hume—For the relief of Christian Kingsud.

H. B. No. 284—Mr. Luccock—To authorize the trustees of the parsonage of the East Plainfield Circuit, Methodist Episcopal Church, Coshocton county, to sell certain lands.

H. B. No. 285—Mr. Dempcy—To amend an act entitled "An act to amend section thirty-four of an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio," passed May 1, 1877, (S. & C. 295;) (O. L. 74, p. 180;) passed May 7, 1877.

Attest: L. A. BRUNNER, *Clerk:*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 286—Mr. Wales—To authorize the incorporated village of Lebanon, Warren county, Ohio, to issue and sell certain bonds for the purpose of constructing a gallery in the public hall of said village, and to furnish said hall and departments constructed therewith.

H. B. No. 287—Mr. Carter—Authorizing the council of the incorporated village of Edgeton, in Williams county, State of Ohio, to transfer certain funds.

H. B. No. 288—Mr. Bull—For the relief of Thornton C. Crowell.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Dungan submitted the following report:

The standing committee on Corporations other than Municipal, to whom was referred S. B. No. 83—To amend section nine of an act entitled "An act supplementary to an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio"—

Having had the same under consideration, report it back and recommend its passage.

IRVINE DUNGAN, R. G. RICHARDS,
LYMAN J. JACKSON, J. R. JOHNSTON.

Said bill was ordered to be engrossed and read the third time to-morrow.

On motion of Mr. Seitz, the Senate went into Committee of the Whole for the consideration of S. B. No. 49, and after some time spent therein, arose, reported the bill back with the following amendments, and recommended its passage when so amended.

To strike out the words "or from any State salaries or payments expected to be received for labor or services to be performed or rendered," in the 69th, 70th and 71st lines of section 1, chapter 1.

Chapter 1, section 3, clause 1: All public school houses and school lands, and all houses devoted to and used exclusively for public worship; provided, that such houses for public worship do not exceed in value the sum of five thousand dollars, but any such houses for public worship exceeding in value the sum of five thousand dollars, shall be taxed on any sum it may so exceed five thousand dollars in value, the same as other property.

Strike out all of the original list first and insert above.

At the end of section 3, chapter 1, add the following :

Tenth—All funds raised and set apart for the purpose of building monuments to the fallen soldiers of this State, and all monuments and monumental buildings, when erected, shall be forever exempt from taxation for any purpose whatever.

In chapter 2, section 2, line 4, between the words "own" and "but," insert the following :

"Except executors and administrators, who shall list the property of the estate as of the city, village, or township where the deceased last dwelt, provided such place of residence was within this State."

In chapter 2, section 3, line 5, after the word "property" the word "merchandise," and after "otherwise," at the end of section 3, insert the following :

"And if for any reason, or through carelessness or neglect on the part of the assessor, any person required to list property shall not have been provided with a blank for that purpose, it is hereby made the duty of such person, nevertheless, to make a return within twenty days, either to the assessor or the county auditor, verified as provided in this section."

Add at the end of section 3, chapter 2, the following :

"And the same shall be listed as of the place of residence of the person listing the same on the day preceding the second Monday of April of that year."

In chapter 2, section 4, line 12, insert before the word "value" the word "average;" and to insert in line 15, of section 4, before the word "value," the word "average."

In chapter 2, section 14, line 16, insert the word "second" before the word "Monday," and to strike out the word "third" in the same line.

In chapter 2, section 17, strike out all of last line after the word "thereof."

In chapter 2, section 20, insert after the word "list," in last line, the following words :

"And if said assessor shall ascertain that at the last decennial period, or annual return, a mistake in the value of any improvement or betterment of any real property has occurred, or that the true value thereof has been omitted, then and in such case it shall be the duty of the assessor to return the correct value thereof, first giving notice of such action on his part to the owner or agent of his intention so to do, and such addition shall be a proper subject for the determination of the next annual board of equalization upon the petition of the owner or agent of such property being filed for that purpose, and all additions made by the assessor as contemplated by this section, as well all such as may be made under the provisions of section 48 of this chapter, shall be placed upon the grand duplicate of the county and placed in the hands of the county treasurer for collection, subject to be modified by the action of the next annual board of equalization."

Chapter 2, section 16. Strike out the eighth clause of said section. Strike out the words "and eighth" in the third line of the second paragraph of the ninth clause, and insert the word "and" between the words "sixth" and "seventh" in the same line.

Chapter 2, section 32, third line, strike out the words "on or before the," and insert the words "between the first and."

Chapter 2, section 34, line 3, strike out all of section after the word "equalize," and insert the following : "The shares of the several banks in

said county, according to their true value in money as fixed by the auditor."

Chapter 2, section 39, line 26, insert after the word "annually" the words "on or before the first Monday."

Chapter 2, section 49, line 11, after the word "treasurer," add the words "for the collection of personal property taxes for the year in which such false return was made, or in which no return was made." Line 19, after the word "persons," insert the word "upon." Line 20, after the word "return," insert the words "which verified statement shall be placed on file by the county auditor, if he so desire." Line 22, after the word "duplicate," add the words "of his action in the premises, to the end that the person whose statement or return has thus been corrected may be afforded an opportunity of presenting his objections thereto to the next annual board of equalization, should he file a petition for that purpose with such board;" and to strike out, in line 22, the words "that he may have," and all after these words up to the word "and" in line 24. Strike out (beginning in line 36) the following words: "And if not paid, may be collected before any justice of the peace of the proper county, by suit in the name of the county commissioners."

Chapter 5, section 5, line 37, strike out the words "except Toledo," and insert in lieu thereof the following: "of the first class, and all cities of the second class having a population exceeding 20,000."

Chapter 5, section 8, line 17, insert after the word "dollars" the following: "and four-tenths of a mill on each dollar of such taxable valuation exceeding $500,000, and not exceeding $800,000." In line 18, strike out "five" and insert "eight."

Chapter 5, section 11, strike out all of line 28, and the words "is levied" in line 29, and insert in lieu thereof the following: "Between the first day of August and the fifteenth day of June of the following year."

Chapter 6, section 7, line 5, strike out the word "twenty" and insert "ten."

Chapter 6, section 19, lines 5 and 6, strike out these words: "And any attorney fees or other expenses properly incurred in this behalf."

Chapter 7, section 5, line 6, insert after the word "not" the words have been paid," and in line 7 strike out the words "have been paid."

Chapter 7, section 28, line 11, strike out the word "twenty-five," and insert "fifteen;" and in line 23, strike out the word "fifty," and insert "twenty-five."

Mr. Fisher moved that said S. B. No. 49 be laid upon the table, and that the amendments be printed.

Which was agreed to.

The committee of Conference, to whom were referred the matters of difference between the two Houses upon H. B. No. 1, report the same back, with the recommendation that the House concur in the Senate amendments.

J. C. Fisher,
H. C. Lord,
J. R. Johnston,
Committee of Senate.

H. Hume,
R. Mackey,
Committee of House.

Mr. Fisher moved that the report of the Conference committee be adopted.

On which motion the yeas and nays were taken, and resulted—yeas 19, nays 5, as follows:

Those who voted in the affirmative were—

Messrs. Benson, Curtiss, Dungán, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Joy, Kelley, Lord, McDonald, Owens, Sabine, Saltzgaber, Steedman, Stokes, Wagener, Williams—19.

Those who voted in the negative were—

Messrs. Carson, Howland, Richards, Seitz, Wilson—5.

So the motion was agreed to.

Mr. Forrest demanded a call of the Senate.

Messrs. Armstrong, Beebe, Beer, Carlisle, Jackson of Clinton, Marsh, Parker, Saltzgaber, Sherrick and Tyler were absent.

Mr. Seitz moved that further proceedings under the call be dispensed with.

Which was agreed to.

Mr. Richards asked for and obtained leave of absence for Mr. Beebe until Thursday next.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has agreed to the report of the Conference committee on the Senate amendments to the Substitute for H. B. No. 1—Mr. Norton—To amend sections 1, 3, 4, 5, 10, 11, 14, 16, 17, 18, 19, 22, 23, 25, 27, 33, 35, 36 and 38, of chapter 2, of the act entitled "An act to consolidate, revise and amend the statutes relating to jails and the penitentiary, to be known as part 2, title 3, Jails and the Penitentiary," passed May 5, 1877, (O. L., volume 74,) to and supplementary to sections 39 and 40 to said chapter 2, and to repeal said original sections 1, 3, 4, 5, 10, 11, 14, 16, 17, 18, 19, 22, 23, 25, 27, 33, 35, 36 and 38.

Attest: L. A. Brunner, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 52—Mr. Clough—To provide for a supply of water for fire and other purposes, in certain cities of the second class.

H. B. No. 130—Mr. Bohl—For the better regulation of insurance companies, other than life and accident, issuing fire policies.

H. B. No. 162—Mr. Klimper—To amend section 3 of the act of April 6, 1870, entitled "An act limiting the compensation of certain officers therein named," (v. 67, p. 36, O. L.)

H. B. No. 174—Mr. Johnson—To authorize the commissioners of Tuscarawas county to build one or more bridges within the corporate limits of the village of New Comerstown, in said county.

Attest: L. A. Brunner, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill in which the concurrence of the Senate is requested:

H. B. No. 185—Mr. Herrick—To authorize the trustees of Wellington township, in Lorain county, to purchase a site for a town hall and to sell the town hall and site now owned by said township.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Richards submitted the following report:

The standing committee on Corporations other than Municipal, to whom was referred S. B. No. 72—Mr. Richards—To authorize the Secretary of State to re-issue charters of incorporation which have been lost or destroyed—

Having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

After line 16, insert the following: "Section 2. The fact that a religious society for not less than thirty years, claiming to have been duly and legally incorporated as such, and performing during such time duties and exercising rights, as such, shall be prima facie evidence of the original issue of such charter or certificate of incorporation as claimed by such society.

Change section 2 to section 3.

IRVINE DUNGAN, R. G. RICHARDS,
LYMAN J. JACKSON, J. R. JOHNSTON.

The amendments were agreed to.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 7—To authorize certain courts to appoint stenographers.

Having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

To add after the word "preserved," in line 7, of section 2, the words, "provided that before such shall be made, upon application to the court of either party, the plaintiff or defendant requesting the services of such stenographer, shall be required as a condition precedent to pay or secure to be paid, the per diem fees as hereinafter provided for."

To add after the word "county," in line 15, of section 2, the words "and when so paid such fees shall be taxed and collected as other costs in the case.

W. T. FORREST, W. P. HOWLAND,
IRVINE DUNGAN, LYMAN J. JACKSON,
D. WAGENER.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Wagener, on leave, introduced the following bill, which was read the first time:

S. B. No. 96—Supplementary to the first section of the act entitled "An act to amend section 1 of an act entitled an act providing for inclosing railroads by fences and cattle-guards," as amended April 26, 1871, passed April 18, 1874, (v. 71, p. 85).

On motion of Mr. Joy, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

TUESDAY, FEBRUARY, 26, 1878—10 o'clock A. M

The Senate met pursuant to adjournment.

Prayer by Rev. I. F. Stidham.

The journal was read and approved.

On motion of Mr. Kelley, the Senate went into committee of the whole on the special order of the hour, viz: Substitute for H. B. No. 194, and after some time spent therein, arose, reported progress, and asked leave to sit again.

Which was granted.

On motion of Mr. Beer the Senate took a recess.

THREE O'CLOCK P. M.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 234—Mr. Johnson—To repeal an act entitled "An act requiring the trustees of Fairfield township, Tuscarawas county, to open a certain county road through said township," passed April 11, 1877. (O. L., vol. 74, p. 438.)

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

The President laid before the Senate a communication from tax payers of Hamilton, Ohio, accompanied with resolutions protesting against the passage of H. B. No. 52.

To the committee on Municipal Corporations.

Leave of absence was asked and obtained for F. A. Davis, 2nd assistant Sergeant-at-Arms, indefinitely, on account of sickness.

Bills were read the second time and referred as follows:

H. B. No. 89—Mr. Norton—To authorize incorporated villages and cities to purchase steam fire engines.

To committee on Municipal Coraorations.

H. B. No. 276—Mr. Crosson—To give proper effect to an act therein named.

To committee on Judiciary.

S. B. No. 95—Mr. Richards—To authorize the township trustees of Hudson township, Summit county, Ohio, to raise money, and to build a town hall.

To the committee on Municipal Corporations.

H. B. No. 52—Mr. Clough—To provide for a supply of water for fire and other purposes, in certain cities of the second class.

To committee on Municipal Corporations.

H. B. No. 130—Mr. Bohl—For the better regulation of insurance companies other than life and accident, issuing fire policies.

To committee on Insurance.

H. B. No. 162—Mr. Klimper—To amend section 3 of the act of April 6th, 1870, entitled "An act limiting the compensation of certain officers therein named," (vol. 67, p. 36, O. L.)

To committee on Judiciary.

H. B. No. 174—Mr. Johnson—To authorize the commissioners of Tuscarawas county to build one or more bridges within the corporate limits of the village of New Comerstown, in said county.

To committee on Roads and Highways.

H. B. No. 185—Mr. Herrick—To authorize the trustees of Wellington township, in Lorain county, to purchase a site for a town hall, and to sell the town hall and site now owned by said township.

To committee on Corporations other than Municipal.

S. B. No. 96—Mr. Wagener—Supplementary to the first section of the act entitle "An act to amend section 1 of an act entitled an act providing for enclosing railroads by fences and cattle guards," as amended April 26, 1871, passed April 18, 1874. (Ohio, Laws, volume 71, page 85.)

To committee on Judiciary.

H. B. No. 154—Mr. Herrick—To authorize the commissioners of Lorain county to invest surplus funds in United States registered bonds.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 29, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, McDonald, Lord, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Stokes, Tyler, Wagener, Williams, and Wilson—29.

So the bill was passed. The title was agreed to.

H. B. No. 5—Mr. Hart—To amend an act entitled "An act supplementary and amendatory of the act entitled an act to amend sections 2, 4 and 24 of an act entitled an act to preserve the purity of elections," passed May 17, 1877, (volume 74, 211,) and to repeal certain sections thereof.

Was read the third time.

Mr. Howland moved to refer the bill to a select committee of one, with instructions to amend by inserting after section 2, the following:

Section 12 of said act shall be amended so as to read as follows:

"SEC. 12. In every municipal ward so subdivided all elections shall be held by and in the subdivisions thereof; and the judges of election for such municipal ward, as now provided by law, shall be judges of election for ward A thereof; and such judges shall meet at the mayor's office on the first Monday of September of each year, at ten o'clock a. m., and shall there select and appoint two judges of election of opposite politics for each of the other subdivisions or wards of such municipal ward. The persons so appointed shall be electors and residents for at least three hundred and sixty days in the ward for which appointed. The mayor shall forthwith cause notice to be given to each person so appointed, and shall cause a record to be made and kept in his office of

such appointments. The persons so appointed shall act as judges of election in their proper subdivisions or wards during the period of one year. They shall take the same oath of office, be subject to the same requirements, penalties, liabilities and disqualifications, and entitled to the same compensation as other judges of election. They shall designate and appoint two clerks of election, of opposite politics, who shall take an oath of office, and shall perform all the duties and be subject to all the liabilities as other clerks of elections. If any such judges or clerks shall fail to attend at the proper time and place, such judges and clerks, and all additional judges and clerks, shall be chosen and qualified as now provided by law."

On which motion the yeas and nays were demsnded, taken and resulted—yeas 11, nays 19, as follows:

Those who voted in the affirmative were—

Messrs. Beer, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley, Parker, Richards, Sabine, Seitz and Wilson—11.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Sherrick, Stokes, Tyler and Wagener—19.

So the motion was disagreed to:

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 21, nays 9, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Seitz, Sherrick, Stokes, Tyler and Wagener—21.

Those who voted in the negative were—

Messrs. Beer, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley, Richards, Sabine and Wilson—9.

So the bill was passed. The title was agreed to.

On motion of Mr. Sherrick the Senate went into committee of the whole for the consideration of substitute for H. B. No. 194, and after some time spent therein, arose, reported the bill back with the following amendments, and recommended its passage when so amended.

1. Add after line 16, section 1, "Mantle and grate for room of commission to revise the laws, $130.70; carpet for same, $174.81.
2. To R. Read, for plumbing and gas fitting, $443.
3. Add after line 37, section 1, "For Governor cont ngent fund, $420.
4. Strike out of section 4, the lines 9, 10 and 11.
5. Strike out line 40, in section 4.
6. Add at the end of line 37, section 1, the following: "which amount shall not be paid until the copy is furnished to complete volume 3 of Geology, being the fifth volume of their report."
7. Strike out lines 69 and 70, in section 1.
8. Strike out line 40, of section 4.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time now, and was then read.

Mr. Johnston moved to refer the bill to a select committee of one with instructions to amend as follows:

Strike out line 5, of section 1, being the words "for deficiencies."

Which was disagreed to.

Mr Howland moved to refer the bill to a select committee of one, with

instructions to amend section 3, by inserting between lines 16 and 17, the following, to-wit:

"For making a passage between the Senate and House of Representatives, constructed under Senate Joint Resolution No. 8, to be paid when said work is accepted by the Adjutant General, $735.

For furniture for Senate committee room, $75."

Which was agreed to, and Mr. Howland was appointed such select committee.

Mr. Howland, on leave, submitted the following report:

The select committee of one, to whom was referred substitute for H. B. No. 194, with instructions to amend, reports the same back amended as instructed.

W. P. Howland.

Mr Seitz moved to refer the bill to a select committee of one with instructions to amend as follows:

In line 72, section 1, strike out "one thousand," and insert in lieu thereof "five hundred."

Mr. Owens demanded a division of the question.

The question being on the motion to refer to strike out—

On which motion, the yeas and nays were demanded, taken, and resulted—yeas 7, nays 19, as follows:

Those who voted in the affirmative were—

Messrs. Fisher, Forrest, Howland, Owens, Sabine, Seitz and Wilson—7.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Curtiss, Dungan, Grove, Jackson of Clinton, Johnston, Joy, Kelley, Lord, Marsh, McDonald, Parker, Richards, Sherrick, Steedman and Tyler—19.

So the motion to strike out was disagreed to.

Mr. Seitz moved to refer the bill tc a select committee of one, with instructions to amend as follows:

In section 1 strike out lines 54 and 55.

Which was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 20, nays 6, as follows:

Those who voted in the affirmative were—

Messrs. Benson, Carlisle, Curtiss, Dungan, Fisher, Grove, Jackson of Clinton, Joy, Krimmel, Lord, Marsh, Owens, Parker, Richards, Sabine, Sherrick, Steedman, Stokes, Wagener and Wilson—20.

Those who voted in the negative were—

Messrs. Forrest, Howland, Irvine, Kelley, Seitz and Tyler—6.

So the bill was passed. The title was agreed to.

Mr. Sherrick moved that the third reading of S. B. No. 82 be postponed until to-morrow.

Which was agreed to.

Mr. Carlisle submitted the following report:

The standing committee on Roads and Highways, to whom was referred H B. No. 148—Mr. Hostetter—To provide for keeping in repair the gravel and macadamized and volunteer roads located and constructed under the laws of the State, and to repeal certain acts therein named—

Having had the same under consideration, report it back and recommend its passage.

B. W. Carlisle, John W. Benson,
Thos. S. Jackson, Lindsey Kelley,
John C. McDonald, C. S. Parker,
J. B. Williams.

The bill was ordered to be engrossed at the Clerk's desk and read the third time now.

The bill was then read.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 25, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Steedman and Tyler—25.

So the bill was passed. The title was agreed to.

S. B. No. 83—To amend section nine of an act entitled "An act supplementary to an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio," passed May 1, 1852; passed April 15, 1867, (S. & S. 186); as amended February 25, 1869, (O. L., vol. 66, p. 11); as amended April 20, 1874, (O. L., vol. 71, p. 161;) as amended April 11, 1876, (O. L., vol. 73, p. 188); as amended March 12, 1877, (O. L., vol. 74, p. 38).

Was read the third time.

Mr. Forrest moved to refer the bill to a select committee of one with instructions to amend as follows:

By striking out lines 7, 8, 9, 10 and 11 of section 9, being the third clause of said section.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 11, nays 13, as follows:

Those who voted in the affirmative were—

Messrs. Benson, Carlisle, Carson, Curtiss, Forrest, Krimmel, Seitz, Steedman, Tyler, Wagener and Williams—11.

Those who voted in the negative were—

Messrs. Dungan, Fisher, Grove, Howland, Jackson of Clinton, Johnston, Kelley, Marsh, McDonald, Owens, Richards, Sabine and Wilson—13.

So the motion was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 16, nays 13, as follows:

Those who voted in the affirmative were—

Messrs. Beer, Curtiss, Dungan, Fisher, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Marsh, Owens, Richards, Sabine, Sherrick, Stokes and Wilson—16.

Those who voted in the negative were—

Messrs. Benson, Carlisle, Carson, Forrest, Irvine, Krimmel, Lord, McDonald, Parker, Seitz, Steedman, Tyler and Wagener—13.

So the bill having failed to receive a constitutional majority, was lost.

Mr. Carlisle submitted the following report:

The standing committee on Benevolent Institutions, to whom was referred S. B. No. 73—To provide for the board of directors of such houses of refuge and correction as shall receive inmates, committed from the State at large, for the support of whom provision shall be made by the General Assembly, to be fixed by contract between the State and the board of directors of such institution—

Having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

In line 8, section 1, substitute the word "house" for "home."

Add section 4, the enacting clause as follows: "This act shall take effect and be in force after its passage."

B. W. CARLISLE, H. W. CURTISS,
C. F. KRIMMEL, GEO. P. TYLER,
THEO. MARSH, D. D. BEEBE,
G. A. GROVE.

The amendments were agreed to.

The bill was ordered to be engrossed at the Clerk's desk and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 21, nays 7, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Krimmel, Lord, Marsh, Mcdonald, Owens, Steedman, Stokes, Tyler, Wagener, and Williams—21.

Those who voted in the negative were—

Messrs. Howland, Jackson of Clinton, Kelley, Sabine, Seitz, Sherrick and Wilson—7.

So the bill was passed. The title was agreed to.

Mr. Richards moved that the Senate adjourn.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 15, nays 15, as follows:

Those who voted in the affirmative were—

Messrs. Beer, Curtiss, Howland, Irvine, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, McDonald, Owens, Richards, Sabine, Seitz and Wilson—15.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Jackson of Clinton, Marsh, Sherrick, Steedman, Stokes, Tyler and Wagener—15.

So the motion was disagreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills in which the concurrence of the Senate is requested:

H. B. No. 79—Mr. Van Cleaf—To amend section 22 of an act entitled "An act for the incorporation of townships," passed March 14, 1853, (S. & C., v. 2, p. 1569).

H. B. No. 207—Mr. Foster—To amend section 9 of chapter 3, of an act entitled "An act to amend, revise and consolidate the statutes relating to criminal procedure," passed May 5, 1877, (vol. 74, O. L., p. 331).

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

On motion of Mr. Carlisle, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

WEDNESDAY, FEBRUARY 27, 1878—10 o'clock A. M.

The Senate met pursuant to adjournment.
Prayer by Rev. I. F. Stidham.
The journal was read and approved.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 140—Mr. Maury—To amend section 35, chapter 8, of offenses against public policy, (O. L., 1877, v. 74, p. 273).

H. B. No. 78—Mr. Johnston—To create a special school district, composed of territory in the townships of Washington, Perry, Rush and Clay, in Tuscarawas county.

H. B. No. 21—Mr. Reed of Ross—To amend section 2 of an act entitled "An act for the better security of head contractors and material men," and to repeal certain acts therein named. (O. L., vol. 74, p. 168).

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled the following bill:

Substitute for H. B. No. 1—Mr. Norton—To amend sections 1, 3, 4, 5, 10, 11, 14, 16, 17, 18, 19, 22, 23, 25, 27, 33, 35, 36 and 38 of chapter 2 of the act entitled "An act to consolidate, revise and amend the statutes relating to jails and the penitentiary, to be known as part 2, title 3, jails and the penitentiary," passed May 5, 1877, (O. L., v. 74), to add supplementary sections 39 and 40 to said chapter 2, and to repeal said original sections 1, 3, 4, 5, 10, 11, 14, 16, 17, 18, 19, 22, 23, 25, 27, 33, 35, 36 and 38.

J. W. WASHBURN, C. F. KRIMMEL,
IRVINE DUNGAN, J. R. JOHNSTON,
WM. JESSUP, F. M. CARTER.

Mr. Dungan submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled the following bills and joint resolution:

H. B. No. 113—Mr. Dodds—To provide for the better organization of corporations designated as the widows' home and asylum for aged and indigent women.

H. B. No. 65—Mr. Jessup—To amend an act entitled "An act for the relief of the poor, and to repeal certain acts therein named," passed April 12, 1876, (Laws of Ohio, v. 73, p. 236).

H. B. No. 141—To authorize the council of the incorporated village of Prospect, in Marion county, to issue bonds to buy a fire engine and build a fire engine house for the use of said village.

H. J. R. No. 8—Mr. Estill—Requesting Senators and Representatives

in the national Congress to vote for a bill granting pensions to surviving soldiers and to the widows of deceased soldiers of the Mexican war.

F. M. CARTER, IRVINE DUNGAN,
J. W. WASHBURN, C. F. KRIMMEL,
A. D. MARSH, J. R. JOHNSTON,
C. R. HARMON.

Mr. Dungan submitted the following report:

The joint committee on Enrollment have examined and found correctly enrolled the following bills and joint resolution:

H. B. No. 171—Mr. McCoy of Lawrence—Authorizing the county commissioners of certain counties in the State of Ohio to levy an additional poor tax.

H. J. R. No. 29—Mr. Greene—Instructing the superintendent of the Athens hospital for the insane to receive into said hospital Michael M. Green.

H. B. No. 5—Mr. Hart—To amend an act entitled "An act supplementary and amendatory of the act entitled an act to amend sections 2, 4 and 24, of an act entitled an act to preserve the purity of elections," passed May 17, 1877, (v. 74, 211), and to repeal certain sections thereof.

J. W. WASHBURN, A. D. MARSH,
IRVINE DUNGAN, DUNCAN DOW,
WM. JESSUP, C. R. HARMON,
F. M. CARTER.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills and joint resolution:

H. B. No. 171—Mr. McCoy of Lawrence—Authorizing the county commissioners of certain counties in the State of Ohio, to levy an additional poor tax.

H. B. No. 5—Mr. Hart—To amend an act entitled "An act supplementary and amendatory of the act entitled an act to amend sections 2, 4 and 24 of an act entitled an act to preserve the purity of elections," passed May 17, 1877, (v. 74, 211), and to repeal certain sections thereof.

H. J. R. No. 29—Mr. Greene—Instructing the superintendent of the Athens hospital for the insane to receive into said hospital Michael M. Gren.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills and joint resolution.

Mr. President presented the petition of T. B. Hibbard and 130 other citizens of Ohio, members of the "Camp of Ohio, P. O. S. of A.," protesting against the passage of the Achauer Bill, or any other measure affecting the common school fund.

Which was referred to the committee on Common Schools.

Mr Owens presented the remonstrance of P. J. Cook and numerous other citizens of Waynesville, Ohio, against change in the school text book law.

Which was referred to the committee on Common Schools.

Mr. Stokes presented the petition of L. D. Doty and 15 other citizens of Butler county, remonstrating against the passage of the bill requiring advertisements of a public character to be published in German papers.

Which was referred to the committee on Public Printing.

Mr. Owens presented the remonstrance of Ed. J. Firstow and 35 other citizens of Hebron, Licking county, against the passage of H. B. No. —, Relative to purchase of school books by board of edu cation.

Which was referred to the committee on Common Schools.

Mr. Kelley presented the petition of T. J. Mulligan, and 550 other citizens and working men of Lawrence county, praying that the Legislature inact a law requiring all merchants, manufacturers, coal operators and all establishments where labor is employed, to pay their employes weekly or semi-monthly in the lawful money of the United States.

Which was referred to the committee on Mines and Mining.

Mr. Sabine presented the petition of D. D. Watson and 746 other citizens of Logan county, asking such legislation as will secure to the people of said county the right and privilege of prohibiting the manufacture, sale and use of intoxicating liquors as a beverage, within the limits of Logan county, by a majority vote of the legal voters thereof, at any general election.

Which was referred to committee on Sanitary Laws and Regulations.

Mr. Sherrick moved that the vote by which substitute for H. B. No. 194 was passed, be reconsidered.

Which was agreed to.

Mr. Sherrick moved to refer the bill to a select committee of one with instructions to amend as follows:

Add: "Section 5. This act shall take effect and be in force from and after its passage."

Which was agreed to, and Mr. Sherrick was appointed such committee.

Mr. Sherrick, on leave, submitted the following report:

The select committee of one, to whom was referred Substitute for H. B. No 194, with instructions to amend, reports the same back amended as instructed.

JOHNSON SHERRICK.

Mr. Forrest moved to refer the bill to a select committee of one, with instructions to amend as follows:

In section 2 strike out lines 25, 26 and 27.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 10, nays 18, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Forrest, Marsh, McDonald, Parker, Seitz and Tyler—10.

Those who voted in the negative were—

Messrs. Beebe, Dungan, Fisher, Grove, Howland, Jackson of Clinton, Johnston, Joy, Kelley, Lord, Owens, Sabine, Sherrick, Steedman, Stokes, Wagener, Williams and Wilson—18.

So the motion was disagreed to.

Mr. Forrest moved to refer the bill to a select committee of one, with instructions to amend as follows:

In section 2, add at the end of line 27, the following: "Said sum not to be paid until the Attorney-General shall decide that the amount is due, under the contract and plans and specifications."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 28, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Johnston, Joy, Kelley, Marsh, McDonald, Owens, Parker, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—28.

So the motion was agreed to and Mr. Forrest was appointed such committee.

Mr. Forrest, on leave, submitted the following report:

The select committee of one, to whom was referred Sub. for H. B. No. 194, with instructions to amend, reports the same back amended as instructed.

W. T. Forrest.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 20, nays 7, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Jackson of Clinton, Joy, Lord, McDonald, Owens, Sherrick, Steedman, Stokes, Tyler, Williams and Wilson—20.

Those who voted in the negative were—

Messrs. Forrest, Howland, Kelley, Marsh, Parker, Sabine, Seitz—7.

So the bill passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 256—Mr. Sawyer—To authorize the commissioners of Auglaize county to borrow money.

H. B. No. 108—Mr. Alexander—To authorize certain institutions to receive donations, devises and bequests.

Attest: L. A. Brunner, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bill has been introduced in the House of Representatives and read the first time:

H. B. No. 288—Mr. Bull—For the relief of Thornton C. Crowell.

Attest: L. A. Brunner, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution in which the concurrence of the Senate is requested:

H. J. R. No. 27—Mr. Tyler of Licking—Requesting our Senators and

Representatives in Congress to prevent a reduction of the tariff laws discriminating against wool growers of the west.

Attest: L. A. BRUNNER, *Clerk.*

Said joint resolution, on motion, was referred to the committee on Agriculture.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

Sub. for H. B. No. 1—Mr. Norton—To amend sections 1, 3, 4, 5, 10, 11, 14, 16, 17, 18, 19, 22, 23, 25, 27, 33, 35, 36 and 38, of chapter 2, of an act entitled "An act to consolidate, revise, and amend the statutes relating to jails and the penitentiary, to be known as "part two, title three, jails and the penitentiary," passed May 5, 1877, (O. L., vol. 74), to and supplementary sections 39 and 40 to said chapter 2, and to repeal said original sections 1, 3, 4, 5, 10, 11, 14, 16, 17, 18, 19, 22, 23, 25, 27, 33, 35, 36, and 38.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bill.

Mr. Forrest moved that the vote by which S. B. No. 83 was lost, be reconsidered.

Which was agreed to.

The question recurring on the passage of said S. B. No. 83—

Mr. Johnston offered the following as a Substitute therefor:

A bill supplementary to an act entitled "An act supplementary to an act entitled 'An act to provide for the creation and regulation of incorporated companies in the state of Ohio,'" (O. L., v. 74, p. 38).

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio*, That in addition to the objects and purposes for which corporations may be formed under said act, and the acts of which it is amendatory and to which it is supplementary, corporations may be formed under this act for the purpose of constructing and building improved life-boats, and improved launching apparatus, to be used for convenience and the protection of human life, and the vending and selling of the same, and the power to grant and sell the privileges and the right to manufacture, use and dispose of the same, and rights thereto in any manner not inconsistent with the laws of this state.

SEC. 2. This act shall take effect and be in force from and after its passage.

Said Substitute was agreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 28, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Johnston, Joy, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—28.

So the bill was passed. The title was agreed to.

Bills were read the second time and referred as follows:

H. B. No. 234—Mr. Johnson—To repeal an act entitled "An act re-

quiring the trustees of Fairfield township, Tuscarawas county, to open a certain county road through said township," passed April 11, 1877, (O. L., v. 74, p. 438).

To committee on Roads and Highways.

H. B. No. 79—Mr. Van Cleaf—To amend sec. 22 of an act entitled "An act for the incorporation of townships," passed March 14, 1853, (S. & C., vol. 2, p. 1571).

To committee on Corporations other than Municipal.

H. B. No. 207—Mr. Foster—To amend section 9, of chapter 3, of an act entitled "An act to amend, revise, and consolidate the statutes relating to criminal procedure," passed May 5, 1877, (vol. 74, O. L., p. 331.)

To committee on Judiciary.

S. B. No. 82—Mr. Lord—To authorize the archæological association of Ohio, to make accurate surveys and descriptions of the pre-historic works of the state, and to collect pre-historic relics for a state cabinet of archæology, to remain forever the property of the state.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 13, nays 10, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Curtiss, Howland, Kelley, Lord, Marsh, Owens, Richards, Tyler, Wagener, Williams and Wilson—13.

Those who voted in the negative were—

Messrs. Carson, Fisher, Forrest, Jackson of Clinton, Johnston, McDonald, Parker, Seitz, Sherrick and Steedman—10.

So the bill having failed to receive a constitutional majority was lost.

Mr. Johnston moved to reconsider the vote by which said bill failed to pass.

Which was agreed to.

Mr. Johnston moved that the bill be laid upon the table.

Which was agreed to.

S. B. No. 72—Mr. Richards—To authorize the Secretary of State to reissue charters of incorporations which have been lost or destroyed.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 25, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Johnston, Kelley, Lord, Marsh, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Wilson—25.

So the bill passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills and joint resolution:

H. B. No. 113—Mr. Dodds—To provide for the better organization of corporations designated as the widows' home and asylum for aged and indigent women.

H. B. No. 141—Mr. Guthery—To authorize the council of the incorporated village of Prospect, in Marion county, to issue bonds to buy a fire engine and build a fire engine house for the use of said village.

H. B. No. 65—Mr. Jessup—To amend an act entitled "An act for the relief of the poor, and to repeal certain acts therein named," passed April 12, 1876, (O. L., vol. 73, p. 236).

H. J. R. No. 8—Mr. Estill—Requesting our Senators and Representatives in Congress to vote for a bill granting pensions to surviving soldiers and to widows of deceased soldiers of the Mexican war.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills and joint resolution.

S. B. No. 7—Mr. Forrest—To authorize certain courts to appoint stenographers.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 25, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Sabine, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—25.

Mr. Richards voted in the negative—1.

So the bill passed. The title was agreed to.

Mr. Sherrick moved that the consideration of S. B. No. 3 be postponed until to-morrow.

Which was agreed to.

S. B. No. 84—Mr. Lord—In addition to the laws now in force to prevent nuisances and to repeal an act therein named, (S. & C., 880).

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 28, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—28.

So the bill passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 289—Mr. Kellogg—To confer police powers upon members of mutual protection societies.

H. B. No. 290—Mr. Achauer—Supplementary to an act entitled "An act to provide for the organization and government of municipal corporations," passed May 7, 1869, (66 O. L., pp. 149 etc. —).

H. B. No. 291—Mr. Hostetter—To amend an act to amend the first section of an act passed March 11, 1853, to amend the sixth section of an act entitled "An act to regulate the election of State and county officers," passed May 3, 1852, as amended April 3, 1862, (S. & S., 331).

H. B. No. 292—Mr. Hayman—To authorize the commissioners of Scioto county, Ohio, to complete the turnpike road leading from Ports-

mouth to the Catholic cemetery in said county; and to issue bonds therefor.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bill has been introduced in the House of Representatives and read the first time:

H. B. No. 293--Mr. Levering—To amend section 35 of the act of May 1, 1873, (70, v. 195), entitled "An act for the reorganization and maintenance of common schools.

Attest: L. A. BRUNNER, *Clerk.*

S. B. No. 21—Mr. Richards—To amend an act entitled "An act to authorize the county commissioners to offer a reward for the detection of horse thieves.

Was read the third time.

Mr. Richards moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out from line 3, section 1, the following words "such detectives as," and insert in lieu thereof the words "a detective if."

Which was agreed to, and Mr. Richards was appointed such committee.

Mr. Richards, on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No. 21, with instructions to amend, reports the same back amended as instructed.

R. G. RICHARDS.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 11, nays 18, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Forrest, Johnston, Kelley, Lord, Parker, Richards and Sabine—11.

Those who voted in the negative were—

Messrs. Carson, Curtiss, Dungan, Fisher, Grove, Howland, Jackson of Clinton, Joy, Krimmel, Marsh, McDonald, Owens, Seitz, Steedman, Stokes, Tyler, Wagener and Wilson—18.

So the bill, having failed to receive a constitutional majority, was lost.

Mr. Curtiss moved to reconsider the vote by which said bill failed to pass.

Which was agreed to.

Mr. Curtiss moved that the bill be laid on the table,

Which was agreed to.

On motion of Mr. Owens, the Senate took a recess.

THREE O'CLOCK P. M.

The following message was received from the Governor:

MESSAGE FROM THE GOVERNOR,

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 27th day of February, 1878.

To the Senate:

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint Hiram D. Peck, of Hamilton county, Ohio, and John C. Morris, of Hamilton county, Ohio, to be Directors of Longview asylum for the term of three years from their confirmation.

Very respectfully,

RICHARD M. BISHOP, *Governor.*

Mr. Johnston moved that the communication from the Governor be referred to the committee on Benevolent Institutions.

Which was agreed to.

S. B. No. 45—Mr. Steedman—Providing for the redemption of real property, or any interest therein, sold on execution or order of sale, and providing for the issuing of certificates of purchase in such cases, and for the execution of conveyances, and repealing all laws in conflict therewith.

Was read the third time.

Mr. Wilson moved to re-commit the bill to a select committee of one, with instructions to amend as follows:

In section 1, line 7, and in line 8, section 2, strike out "two" and insert "one."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 12, nays 20, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Owens, Parker, Richards and Wilson—12.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Curtiss, Dungan, Fisher, Forrest, Irvine, Joy, Krimmel, Lord, Marsh, McDonald, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—20.

So the motion was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 19, nays 12, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Curtiss, Dungan, Fisher, Forrest, Irvine, Jackson of Perry, Joy, Krimmel, Lord, McDonald, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—19.

Those who voted in the negative were—

Messrs. Beebe, Beer, Grove, Howland, Jackson of Clinton, Johnston, Kelley, Marsh, Owens, Richards, Sabine and Wilson—12.

So the bill was passed. The title was agreed to.

Mr. Krimmel submitted the following report:

The standing committee on Benevolent Institutions, to whom was referred the appointments of Hiram D. Peck and John C. Morris, of Ham-

ilton county, to be directors of Longview Asylum, for the term of three years from their confirmation—

Having had the same under consideration, report it back and recommend their confirmation.

C. F. KRIMMEL, B. W. CARLISLE,
GEO. P. TYLER, H. W. CURTISS,
THEO. MARSH, D. D. BEEBE,
G. A. GROVE.

Mr. Forrest moved that the Senate advise and consent to the appointment of Hiram D. Peck.

On which motion the yeas and nays were taken, and resulted—yeas 32, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams, Wilson—32.

So the Senate advised and consented to said appointment.

Mr. Marsh moved that the Senate advise and consent to the appointment of John C. Morris.

On which motion the yeas and nays were taken, and resulted—yeas 32, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams, Wilson—32.

So the Senate advised and consented to said appointment.

MESSAGE FROM THE GOVERNOR.

STATE OF OHIO, EXECUTIVE DEPARTMENT.

COLUMBUS, 27th day of February, 1878.

To the Senate:

I have the honor to nominate, and by and with the consent of the Senate, appoint—

Isaac G. Peetrey, of Madison county, Ohio, to be director of the Ohio Penitentiary until April 1, 1879.

Charles M. Roose, of Ottawa county, Ohio, to be director of the Ohio Penitentiary until April 1, 1880.

S. S. Warner, of Lorain county, Ohio, to be director of the Ohio Penitentiary until April 1, 1881.

Daniel McConville, jr., of Jefferson county, Ohio, to be director of the Ohio Penitentiary until April 1, 1882, and

A. D. Heffner, of Franklin county, Ohio, to be director of the Ohio Penitentiary until April 1, 1883.

Very Respectfully,

RICHARD M. BISHOP, *Governor.*

Mr. Forrest moved that the communication from the Governor be referred to the committee on Penitentiary.

Which was agreed to.

S. B. No. 68—Mr. Armstrong—Relating to indexing pending suits and executions not dormant.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 19, nays 8, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Carson, Curtiss, Dungan, Forrest, Grove, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams—19.

Those who voted in the negative were—

Messrs. Beer, Fisher, Howland, Johnston, Kelley, Owens, Sabine, Seitz —8.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 294—Mr. Hume—For the relief of D. V. Dingman and H. H. Sprague.

H. B. No. 295—Mr. Mack—To amend section 28 of an act entitled an act relating to roads and highways, as amended April 11, 1876, (O. L., vol. 73, page 185).

H. B. No. 296—Mr. Elliot—To repeal an act entitled an act to amend a sub-school district in Thompson township, Delaware county, passed January 18, 1877, and to dissolve the sub-district created by said act.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 297—Mr. Crosson—To authorize the surviving trustees of the Christian church of Neville, Clermont county, to sell real estate belonging to said church organization.

H. B. No. 298—Mr. Reed, of Trumbull—In regard to the boundary monuments on the line between the States of Ohio and Pennsylvania.

H. B. No. 299—Mr. Carter—To authorize the trustees of Pulaski township, in Williams county, to construct and improve ditches and drains, within certain bounds, and pay for the same.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of S. B. No. 48—Mr. Parker—To authorize the city of Fremont to issue bonds

and borrow money for the completion of city hall and fire engine house, with the following amendments:

In section 1, line 6, after the word "payable," insert the word "semi." Strike out the word "eight" and insert "seven."

Attest: L. A. BRUNNER, *Clerk.*

Mr. Parker moved that the Senate concur in said amendments.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 27, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Perry, Johnston, Kelley, Lord, Marsh, Parker, Richards, Sabine, Seitz, Sherrick, Stokes, Tyler, Wagener, Williams, Wilson—27.

So the motion was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 85—Mr. Washburn—To regulate the payment of certain costs in criminal cases.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Lord submitted the following report:

The standing committee on Privileges and Elections, to whom was referred the case of George A. Baker, contestant, against Harvey W. Curtiss, contestee—

Having had the same under careful and deliberate investigation, report that George A. Baker, contestant, has failed to furnish sufficient testimony to show that he received a majority of the votes cast for State Senator in the 25th Senatorial district.

H. C. LORD, W. T. FORREST,
LYMAN J. JACKSON, J. R. JOHNSTON,
C. F. KRIMMEL, R. G. RICHARDS.

Said report was unanimously agreed to.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred S. B. No. 89—Mr. Steedman—To create a Board of Public Works in cities of the first class, which have been advanced to that grade between decennial periods—

Having had the same under consideration, report it back and rocommend its passage.

THEO. MARSH, LYMAN J. JACKSON,
JAS. B. STEEDMAN, G. A.GROVE.

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Armstrong submitted the following report:

The standing committee on Soldiers' and Sailors' Orphans' Home, and School for Imbecile Youth, to whom was referred S. B. No. 94—Mr. Carlisle—For the better organization and management of the Imbecile asylum—

Having had the same under consideration report it back, and recommend its passage.

J. M. Armstrong, John Seitz,
J. B. Williams, Geo. P. Tyler,
Wm. H. Stokes, C. F. Krimmel.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Marsh, on leave, introduced the following bill, which was read the first time:

S. B. No. 97—To amend an act authorizing township trustees to levy a tax to purchase a site and erect a township hall thereon, passed May 6, 1869, (page 120, O. L., vol. 66,) as amended April 18, 1874, as amended April 11, 1876, (O. L., vol. 73, page 203).

Mr. Forrest, on leave, introduced the following bill, which was read the first time:

S. B. No. 98—Entitled an act supplementary to the several acts "to establish the superior court of Cincinnati, and to provide for a fourth judge of said county, and to regulate the practice thereof."

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill in which the concurrence of the Senate is requested:

H. B. No. 117—Mr. Bloom—To authorize the trustees of Troy township, Richland county, Ohio, to join with the council of the incorporated village of Lexington, in the construction of a town hall, for the joint use of said township and village.

Attest: L. A. Brunner, *Clerk.*

Said bill was read the first time.

S. B. No. 81—Mr. Johnston—To provide for the disposition of unclaimed deposits and dividends.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 29, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Seitz, Steedman, Stokes, Tyler, Wagener and Wilson—29.

So the bill was passed. The title was agreed to.

Mr. Forrest moved that Sub. for H. B. No. 27 be taken from the table.

Which was agreed to.

The question being on the adoption of Mr. Howland's substitute for said bill—

Mr. Irvine moved to amend by striking out the second section of the substitute and inserting the following:

SEC. 2. Whenever there has, or shall hereafter occur a vancancy in whole or in part of the board of trustees of any college, seminary, or academy incorporated under the laws of Ohio, by reason of an amendment of the charter of such corporation, or from any other cause, and there shall be no provision of law for filling said vacancy, then the Governor of the state of Ohio shall, within three months after receiving information of such vacancy, appoint twenty-one trustees to serve as follows, to-wit: Seven for one year, seven for two years, and seven for three years, with power to elect (themselves) seven trustees annually to serve for the term of three years from the time of said appointment; said trustees to have power to fill all vacancies caused by death or resignation.

SEC. 3. This act shall be in force from and after its passage.

Said amendment was agreed to.

The substitute as amended was then agreed to.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 26, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Seitz, Sherrick, Stokes, Wagener and Wilson—26.

So the bill was passed. The title was agreed to.

Mr. Kelley submitted the following report:

The standing committee on Roads and Highways, to whom was referred S. B. No. 31—To amend section 1 of an act entitled "An act to provide for increasing or reducing the width of county or township roads," passed March 27, 1867, (S. & S., p. 693.)—

Having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended:

In line 10, of sec. 1, between the words "act" and "shall," insert the follwing: "so far as the same relates to reducing the width of roads."

B. W. CARLISLE, J. B. WILLIAMS,
JOHN C. MCDONALD, JOHN H. BENSON,
LINDSEY KELLLY, C. S. PARKER.

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Carlisle submitted the following report:

The standing committee on Roads and Highways, to whom was referred H. B. No. 48—Mr. Herrick—To amend section 13 of an act entitled "An act relating to Roads and Highways," passed March 9, 1868—

Having had the same under consideration, report it back, and recommend its passage.

B. W. CARLISLE, J. B. WILLIAMS,
JOHN C. MCDONALD, J. H. BENSON,
LILDSEY KELLEY, C. S. PARKER.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Kelley submitted the following report:

The standing committee on Roads and Highways, to whom was referred H. B. No. 71—To amend section 1 of an act to amend sections 1

and 4 of an act entitled "An act to provide for the repair of free turnpike roads in certain counties, and to authorize the county commissioners of any county in this State to constitute a board of directors to regulate the hauling of heavy burdens on any free turnpike or improved road," passed and took effect April 20, 1874, passed March 17, 1875, (O. L., v. 72, p. 59), passed April 3, 1876; (O. L., v. 73, p. 151), passed May 2, 1877; (O. L., v. 74, p. 153), and for other purposes—

Having had the same under consideration, report it back, and recommend its passage.

B. W. CARLISLE, J. B. WILLIAMS,
JOHN C. MCDONALD, J. H. BENSON,
LINDSEY KELLEY, C. S. PARKER.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Johnston submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 54—To amend section 6 of an act entitled "An act granting to guardians authority to improve the real estate of their wards and to lease the same," passed April 11, 1876, (O. L., v. 73, p. 207)—

Having had the same under consideration, report it back, with f llowing amemdments, and recommend its passage when so amended:

Add at end of sec. 11: "and guardians are hereby authorized to lease the lands of their words for a less period without application to the court for that purpose."

W. T. FORREST, D. WAGENER,
W. P. HOWLAND, J. R. JOHNSTON.

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Carlisle submitted the following report:

The standing committee on Roads and Highways, to whom was referred H. B. No. 183—To amend section 2 of an act entitled "An act prescribing the rate of taxation for county, bridge, road, and township purposes, and to repeal certain acts therein named," passed April 19, 1877, (O. L., v. 74, p. 95)—

Having had the same under consideration, report it back, and recomnd its passage.

B. W. CARLISLE, J. B. WILLIAMS,
JOHN C. MCDONALD, J. H. BENSON,
LINDSEY KELLEY, C. S. PARKER.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Sherrick offered the following resolution, which was adopted:

S. R. No. 46—*Resolved*, That the superintendent of public printing be directed to report to the Senate information of the whereabouts, the condition, and in whose custody the plates and engravings are which were used in the publication of the report of the geological survey.

Mr. Sherrick moved that S. J. R. No. 13 be taken from the table.

Which was agreed to.

On motion of Mr. Richards, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk*.

THURSDAY, FEBRUARY 28, 1878—10 O'CLOCK A. M.

The Senate met pursuant to adjournment.
Prayer by Rev. I. F. Stidham.
The Journal was read and approved.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 228—Mr. Loder—For the relief of William J. Berne, Chas. Stanley, John B. Schroder, John M. Miller, assignees of Buente & Phillips, and Dunn & Witt.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill in which the concurrence of the Senate is requested:

H. B. No. 145—Mr. Dempcy—To prevent the introduction and spread of a cattle disease, commonly known as Texas or Spanish Fever, by the importation and introduction of cattle into the State of Ohio, infected with or liable to impart to other cattle said disease, and providing for the recovery of damages caused by the introduction of such diseased cattle, from owners of such cattle.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

The President laid before the Senate a communication from the city council of Cleveland, Ohio, with certain resolutions passed by said council, protesting against the passage of H. Bs. Nos. 186 and 187.

Which, on motion, was referred to the committee on Municipal Corporations.

Mr. Owens presented the petition of Leonard Stump and 49 other citizens of Licking county, praying for the preservation and improvement of the Ohio canal.

Which was referred to the committee on Public Works.

Bills were read the second time and referred as follows:

H. B. No. 140—Mr. Maury—To amend section 35, chapter 8 of offenses against public policy, (O. L., 1877, v. 74, p. 273).

To the committee on Fish Culture and Game.

H. B. No. 78—Mr. Johnson—To create a special school district, composed of territory in the townships of Washington, Perry, Rush and Clay, in Tuscarawas county.

To committee on Common Schools.

H. B. No. 21—Mr. Reed of Ross—To amend section 2 of an act entitled "An act for the better security of head contractors and material men," and to repeal certain acts therein named, (O. L., v. 74, p. 168).

To committee on Corporations other than Municipal.

H. B. No. 108—Mr. Alexander—To authorize certain institutions to receive donations, devises and bequests.

To committee on Judiciary.

H. B. No. 85—Mr. Washburn—To regulate the payment of certain costs in criminal cases.

To committee on Judiciary.

S. B. No. 97—Mr. Marsh—To amend an act authorizing township trustees to levy a tax to purchase a site and erect a town hall thereon, passed May 6, 1869, (O. L., v. 66, p. 120), as amended April 18, 1874, (O. L., v. 71, p. 95), as amended April 11, 1876, (O. L., v. 73, p. 203).

To committee on Municipal Corporations.

S. B. No. 98—Mr. Forrest—Entitled "An act supplementary to the several acts to establish the superior court of Cincinnati, and to provide for a fourth judge of said court, and to regulate the practice thereof."

To committee on Judiciary.

H. B. No. 117—Mr. Bloom—To authorize the trustees of Troy township, Richland county, Ohio, to join with the council of the incorporated village of Lexington, in the construction of a town hall, for the joint use of said township and village.

To committee on Finance.

H. B. No. 256—Mr. Sawyer—To authorize the commissioners of Auglaize county to borrow money.

Mr. Steedman moved that the constitutional rule, requiring bills to be read on three different days, be suspended, and that H. B. No. 256 may be read the third time.

On which motion the yeas and nays were taken, and resulted—yeas 27, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Steedman, Stokes, Tyler, Wagener, Williams, and Wilson—27.

So the motion was agreed to, and said H. B. No. 256 was engrossed and read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 28, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sabine, Seitz, Steedman, Tyler, Wagener, Williams and Wilson—28.

So the bill was passed. The title was agreed to.

Mr. Owens asked and obtained leave of absence for Mr. Saltzgaber until Monday next.

Mr. Owens demanded a call of the Senate.

Messrs. Benson, Grove, Irvine and Tyler were absent.

On motion of Mr. Owens, further proceedings under the call were dispensed with.

S. B. No. 19—Mr. Owens—To amend an act entitled "An act to amend the 28th section of the act entitled an act of the jurisdiction and procedure before justices of the peace, and of the duties of constables in civil cases." (Swan & Critchfield, 776, and Swan & Sayler, 420.)

Was read the third time.

Mr. Howland moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out in line 13, section 1, the word "defendant," and insert the following, "an employee of a railroad company."

In line 14, same section, insert after the word "action," the words "for a railroad company."

In line 38, after the word "defendant," insert in the employ of a railroad."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 6, nays 26, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Howland, Parker, Sabine and Wilson—6.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—26.

So the motion was disagreed to.

Mr. Wilson moved to re-commit the bill to a select committee of one, with instructions to amend as follows:

Strike out of section 1, line 7, the words "except the personal earnings of such defendant"

Also, strike out all between the word "defendant," in same section, line 13, and the word "and," in line 14, and insert the following words, "now exempt by law from execution or sale for any debt, damages, fine or assessment."

Also, add at the end of section 1 the words, "in cases where the same is now exempt by law from execution or sale for any debt, damages, fine or assessment."

Which was disagreed to.

Mr. Johnston moved to refer the bill to a select committee of one with instructions to amend as follows:

In line 7 of section 1, between the words "defendant" and "in," insert the following, "as may be resident of Ohio, and as the head of a family dependent wholly or in part upon him for support."

In line 14, same section, after the word "action," insert the following, "when such defendant is a resident of Ohio, and is the head of a family dependent wholly or in part upon him for support."

In line 37 of same section, after the word "defendant," insert the following, "who may be a resident of Ohio, and the head of a family dependent wholly or in part upon such personal earnings for support."

Which was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 26, nays 5, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—26.

Those who voted in the negative were—

Messrs. Beebe, Beer, Howland, Kelley and Wilson—5.

So the bill was passed. The title was agreed to.

On motion of Mr. Joy, the Senate took a recess.

THREE O'CLOCK P. M.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 300—Mr. White—To authorize a contract with reference to a new school house.

H. B. No. 301—Mr. Reed of Trumbull—To amend section 28 of an act entitled "An act relating to roads and highways," passed April 11, 1876, (O. L., v. 73, p. 185).

H. B. No. 302—Mr. Booth—To create a special school district in Jackson township, Franklin county, Ohio.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 303—Mr. Kellogg—To authorize the city of South Island to issue bonds and borrow money for the completion of a certain road therein named.

H. B. No. 304—Mr. Elliott—To authorize the trustees of Delaware township, Delaware county, Ohio, to levy a tax for money to build a bridge.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 109—Mr. Monahan—To destroy hawks, rats and foxes in the State of Ohio.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

S. B. No. 89—Mr. Steedman—To create a board of public works in cities of the first class, which have been advanced to that grade between decennial periods.

Was read the third time.

Mr. Howland moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 3, section 1, strike out the word "without," and insert the word "with."

On which motion the yeas and nays were demanded, taken and resulted—yeas 12, nays 18, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Curtiss, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Parker, Richards, Sabine and Wilson—12.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Jackson of Perry, Joy, Lord, McDonald, Owens, Seitz, Sherrick, Steedman, Stokes, Tyler and Wagener—18.

So the motion was disagreed to.

Mr. Steedman moved to refer the bill to a select committee of one with instructions to amend as follows:

In line 4, section 1, strike out the word "seven" and insert "five."

Also, in line 7, same section, strike out the word "two," fourth word from the end of the line, and insert "one."

Also, in line 8, same section, strike out the word "two," and insert "one."

In line 11, same section, after the word "shall," insert the following words, "appoint one member and."

Also, in line 8, section 2, after the word "clerk," insert the words "who shall not be a member of the board."

Also, in lines 2 and 3 of section 3, strike out the words "one" and "thousand," and insert "fifteen hundred."

In line 5, section 8, strike out the word "construct," and insert the work "contract."

Which was agreed to, and Mr. Steedman was appointed such committee.

Mr. Steedman, on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No. 89, with instructions to amend, reports the same back amended as instructed.

JAMES B. STEEDMAN.

Mr. Wilson moved to refer the bill to a select committee of one with instructions to amend as follows:

By striking out in line 3, section 1, all after the word "periods" and including the word "council," in line 4, and insert "shall be elected by the:" and strike out the word "appointed" wherever it occurs in the bill, and insert "elected."

On which motion, the yeas and nays were demanded, taken and resulted—yeas 13, nays 16, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Curtiss, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Richards, Sabine, Seitz, Sherrick and Wilson—13.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Carson, Fisher, Forrest, Grove, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Steedman, Tyler, Wagener and Williams—16.

So the motion was disagreed to.

Mr. Steedman demanded a call of the Senate.

Mr. Benson was absent.

Mr. Johnston moved that all further proceedings under the call be dispensed with.

Which was agreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 16, nays 16, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Dungan, Fisher, Forrest, Grove, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Steedman, Tyler, Wagener and Williams—16.

Those who voted in the negative were—

Messrs. Beebe, Beer, Carson, Curtiss, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Owens, Richards, Sabine, Seitz, Sherrick, Stokes and Wilson—16.

So the bill, having failed to receive a constitutional majority, was lost.

Mr. Joy submitted the following report:

The standing committee on Penitentiary, to whom was referred the appointments of Isaac G. Peetry, of Madison county, Ohio, to be director of the Ohio penitentiary until April 1, 1879; Chas. M. Ross, of Ottawa county, Ohio, to be director of the Ohio penitentiary until April 1, 1880; S. S. Warner, of Lorain county, Ohio, to be director of the Ohio penitentiary until April 1, 1881; Daniel McConville, jr., of Jefferson county, Ohio, to be director of the Ohio penitentiary until April 1, 1882; and A. D. Heffner, of Franklin county, Ohio, to be director of the Ohio penitentiary until April 1, 1883—

Having had the same under consideration, report them back, and recommend their confirmation.

D. Joy, Theo. Marsh,
C. F. Krimmel, H. Sabine,
Geo. P. Tyler, H. W. Curtiss,
W. H. Stokes.

Mr. Wilson moved that the Senate advise and consent to the appointment of Isaac G. Peetrey.

On which motion the yeas and nays were taken and resulted—yeas 32, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—32.

So the Senate advised and consented to said appointment of Isaac G. Peetrey.

Mr. Joy moved that the Senate advise and consent to the appointment of Charles M. Roose.

On which motion the yeas and nays were taken, and resulted—yeas 31, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener Williams and Wilson—31.

So the Senate advised and consented to said appointment of Charles M. Roose.

Mr. Beer moved that the Senate advise and consent to the appointment of S. S. Warner.

On which motion the yeas and nays were taken, and resulted—yeas 10, nays 20, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley, Richards, Sabine and Wilson—10.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Krimmel, Lord, Marsh, McDonald, Parker, Seitz, Sherrick, Steedman, Stokes, Tyler and Wagener—20.

So the Senate refused to advise and consent to the appointment of S. S. Warner.

Mr. Richards moved that the Senate advise and consent to the appointment of Daniel McConville, jr.

On which motion the yeas and nays were taken and resulted—yeas 33, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—33.

So the Senate advised and consented to said appointment of Daniel McConville, jr.

Mr. Krimmel moved that the Senate advise and consent to the appointment of A. D. Heffner.

On which motion, the yeas and nays were taken and resulted—yeas 31 nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine. Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, McDonald, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—31.

So the Senate advised and consented to said appointment of A. D. Heffner.

Mr. Krimmel asked and obtained leave of absence for to-morrow and Saturday for the committee on Benevolent Institutions.

Mr. Richards moved that the Senate adjourn.

Which was disagreed to.

Mr. Stokes moved that the vote by which S. B. No. 89 was lost, be reconsidered.

On which motion, the yeas and nays were demanded, taken and resulted—yeas 15, nays 13, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Fisher, Forrest, Irvine, Joy, Krimmel, Lord, McDonald, Parker, Steedman, Stokes, Tyler, Wagener and Williams—15.

Those who voted in the negative were—

Messrs. Beebe, Beer, Carson, Howland, Jackson of Clinton, Johnston, Kelley, Owens, Richards, Sabine, Seitz, Sherrick and Wilson—13.

So the motion to reconsider was agreed to.

Mr. Steedman demanded a call of the Senate.

Messrs. Benson and Marsh were absent.

Mr. Richards moved that further proceedings under the call be dispensed with.

On which motion, the yeas and nays were demanded, taken and resulted—yeas 12, nays 16, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley, Richards, Sabine, Seitz, Sherrick and Wilson—12.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Fisher, Forrest, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Parker, Steedman, Stokes, Tyler, Wagener and Williams—16.

So the motion was disagreed to.

On motion of Mr. Steedman, the Sergeant-at-Arms was dispatched for absentees.

Mr. Marsh appeared within the bar of the Senate.

On motion of Mr. Steedman, further proceedings under the call were dispensed with.

The question recurring "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 17, nays 14, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Dungan, Fisher, Forrest, Grove, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Parker, Steedman, Tyler, Wagener and Williams—17.

Those who voted in the negative were—

Messrs. Beebe, Beer, Carson, Curtiss, Howland, Jackson of Clinton, Kelley, Owens, Richards, Sabine, Seitz, Stokes and Wilson—14.

So the bill, having failed to receive a constitutional majority, was lost.

S. B. No. 31—Mr. Johnston—To amend section 1 of an act entitled "An act to provide for increasing or reducing the width of county or township roads," passed March 27, 1867, (S. & S., p. 693)

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 27, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, McDonald, Owens, Richards, Sabine, Seitz, Tyler, Wagener, Williams and Wilson—27.

So the bill was passed. The title was agreed to.

H. B. No. 48—Mr. Herrick—To amend section 13 of an act entitled "An act relating to roads and highways, passed March 9, 1868.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 28, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Richards, Sabine, Seitz, Stokes, Tyler, Wagener, Williams and Wilson—28.

So the bill was passed. The title was agreed to.

Mr. Kelley moved that the Senate adjourn.

On which motion, the yeas and nays were demanded, taken and resulted—yeas 15, nays 15, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, McDonald, Parker, Richards, Sabine, Steedman and Tyler—15.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Carson, Dungan, Fisher, Forrest, Irvine, Jackson of Perry, Marsh, Owens, Seitz, Sherrick, Stokes, Wagener and Williams—15.

So the motion was disagreed to.

Mr. Sherrick moved that S. B. No. 49 be taken from the table and placed on the calendar for third reading to-morrow.

Which was disagreed to.

H. B. No. 71—Mr. Sullivan of Miami—To amend section 1 of an act to amend sections 1 and 4 of an act entitled "An act to provide for the repair of free turnpike roads in certain counties, and to authorize the county commissioners of any county in this State to constitute a board of directors to regulate the hauling of heavy burdens on any free turnpike or improved road," passed and took effect April 20, 1874; passed March 17, 1875, (O. L., v. 72, p. 59); passed April 3, 1876; (O. L., v. 73, p. 151); passed May 2, 1877; (O. L., v. 74, p. 153); and for other purposes.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays 4, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Parker, Sabine, Seitz, Sherrick, Stokes, Tyler and Wilson—24.

Those who voted in the negative were—

Messrs. Armstrong, Forrest, Steedman and Wagener—4.

So the bill was passed. The title was agreed to.

On motion of Mr. Howland, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

FRIDAY, MARCH 1—10 o'clock A. M.

The Senate met pursuant to adjournment.

Prayer by Rev. I. F. Stidham.

The Journal was read and approved.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 305—Mr. Wright—To provide for completing the geological survey of the State.

H. B. No. 306—Mr. Dodds—To authorize cities of the first class, having a population exceeding 200,000 inhabitants, to issue bonds for the payment of avenues in certain cases.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bill has been introduced in the House of Representatives and read the first time:

H. B. No. 307—Mr. Klimper—To amend section 49 of an act entitled an act for the assessment and taxation of property in this State, and for levying taxes thereon according to its true value in money, passed April 5, 1869 (S. & C., 1438).

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate Substitute for—

H. B. No. 27—Mr. Bohl—Supplementary to an act entitled "An act to provide for the creation and regulation of incorporated companies, in the State of Ohio," passed May 1, 1852 (S. & C., 271), and to repeal section 11 of an act entitled "An act to incorporate the Beverly College," at Beverly.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

H. B. No. 256 Mr. Sawyer—To authorize the county commissioners of Auglaize county to borrow money to cover deficiency, arising by reason of the defalcation in county treasury fund.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bill.

Mr. Jackson of Perry, presented the petition of Henry Wallace and 460 other citizens of Perry county, asking the passage of a law to compel individuals and corporations to pay wages in legal tender currency.

Which was referred to the committee on Mines and Mining.

Bills were read the second time and referred as follows:

H. B. No. 228—Mr. Loder — For the relief of William J. Berne, Charles Stanley, John B. Schroder, John M. Mueller, assignees of Buente & Phillips and Dunn & Witt.

To Committee on Judiciary.

H. B. No. 145—Mr. Dempcy — To prevent the introduction and spread of a cattle disease commonly known as Texas or Spanish fever, by the introduction and importation of cattle into the State of Ohio, infected with or liable to impart to other cattle said disease, and providing for the recovery of damages, caused by the introduction of such diseased cattle, from owners of such cattle.

To committee on Judiciary.

H. B. No. 109—Mr. Monahan—To destroy hawks, rats and mice in the State of Ohio.

To committee on Agriculture.

Mr. Carlisle moved that S. B. No. 94 be re-committed to the committee on Soldiers' Orphans' Home and School for Imbecile Youth.

Which was agreed to.

S. B. No. 54—Mr. Wilson—To amend section 6 of an act entitled an act granting to guardians authority to improve the real estate of their wards, and to lease the same, passed April 11, 1876 (O. L., vol. 73, p. 207).

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 25, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Curtiss, Fisher, Forrest, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Lord, McDonald, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Steedman, Stokes, Wagener, Williams and Wilson—25.

Messrs. Carson and Dungan voted in the negative—2.

So the bill was passed. The title was agreed to.

H. B. No. 183—Mr. Reed of Ross—To amend section 2 of an act entitled "An act prescribing the rate of taxation for county, bridge, road and township purposes, and to repeal certain acts therein named," passed April 19, 1877, (O. L., 74, p. 95).

Was read the third time.

Mr. Howland moved to refer the bill to a select committee of one, with instructions to amend as follows, to-wit:

Insert, at the end of section 1, the following, to-wit:

Section 2. That section 3 of said act be amended so as to read as follows:

Section 3. The county commissioners of any county shall not levy any tax or appropriate any money for the purpose of building public county buildings, purchasing sites therefor, or for lands for infirmary purposes, or for building any bridge, except in case of casualty, as provided for in section two, the expense of which shall exceed $10,000 without first submitting to the qualified voters of said county, the question as to the policy of building any public county building or buildings, or for purchasing sites therefor, or for the purchase of lands for infirmary purposes by general tax, which said submission shall be made at any annual April or October election after the passage of this act. Each proposition shall be separately submitted, and printed tickets shall be provided by the said county commissioners, on which shall be printed, "For ——— Tax, Against ——— Tax," which blanks shall be filled with the proper designation of the proposed improvement, as the notice may require; and said commissioners shall cause the same notice for such vote to be given as is required in the election of State and county officers. It shall be the duty of the judges of election in the several townships and wards in any county in which such question may be submitted as aforesaid, to open a poll for taking said vote and to receive and count the ballots cast, and within three days thereafter to return to the auditor of the county a full and correct abstract of said votes; and the said judges of elections shall in all respects be governed by the laws regulating general elections, and shall be entitled to the same compensation for returning said poll books, which shall be paid out of the county treasury on the order of the auditor, and the poll books so returned shall, within five days from the day of holding such election, be opened and the votes counted, by the commissioners and auditor of the county; a correct statement of the result of which vote shall be kept by said auditor on file in his office for public inspection.

If a majority of the votes so cast shall be against the policy of such improvement, the commissioners shall not assess any tax for that purpose, but the commissioners may, on the petition of not less than 100 tax-payers of said county, again submit the question at any April or October election after the passage of this act, under the same rules and regulations as before provided; if at any such election a majority shall

be found in favor of the improvements as aforesaid, then the commissioners shall be authorized to proceed to levy the tax as provided for in this section, and for the purpose of said improvement: Provided, that this section shall not apply to the construction of any public buildings or bridges commenced or contracted for prior to the passage of this act, or for which the commissioners have, in good faith, purchased the ground or acquired material for the same, and are now proceeding, during the present season, with all convenient dispatch to contract.

Insert, after the word "two," in section 2, the words "and re-number sections 2 and 3, and make them sections 3 and 4.

In line 1 of section 2, add "s" to the word "section," and insert the words "and three" after the word "two."

Amend title by striking out the word "section" and inserting the words "sections 2 and 3."

Which was agreed to, and Mr. Howland was appointed such committee.

Mr. Howland, on leave, submitted the following report:

The select committee of one, to whom was referred H. B. No. 183, with instructions to amend, reports the same back amended as instructed.

W. P. Howland.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 26, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Lord, McDonald, Owens, Parker, Richards, Sabine, Sherrick, Steedman, Stokes, Wagener, Williams and Wilson—26.

So the bill was passed. The title as amended by Mr. Howland's substitute was agreed to.

Mr. Curtiss moved that the consideration of S. B. No. 3, be postponed until Tuesday next.

Which was agreed to.

Mr. Sherrick moved that S. B. No. 49 be taken from the table.

Which was agreed to.

On motion of Mr. Sherrick, said bill was ordered to be placed upon the calendar for third reading on Monday next.

Mr. Forrest moved that S. B. No. 59, be taken from the table.

Which was agreed to.

On motion of Mr. Forrest, said bill was ordered to be placed on the calendar, for third reading on Tuesday next.

Mr. Carlisle, on leave, introduced the following bill, which was read the first time:

S. B. No. 99—To amend an act fixing the rate of interest, passed February 18, 1848, took effect March 1, 1848, passed January 12, 1844, (S. & C., p. 744.)

Mr. Kelley submitted the following report:

The standing committee on Manufactures and Commerce, to whom was referred S. J. R. No. 22—Mr. Richards—Requesting Senators and Representatives in Congress to use their influence to prevent any reduction of tariff on foreign articles—

Having had the same under consideration, report it back without recommendation.

D. Wagener, J. M. Armstrong,
Geo. P. Tyler, J. B. Williams,
G. A. Grove.

Mr. Forrest moved to amend said joint resolution by striking out the title and preamble, and inserting the following:

Be it resolved by the General Assembly of the State of Ohio, That the doctrine, so-called, of protection to American industry is the emenation of the creative genius of capital, and its influence, if put into practical operation, is destructive to the industrial and agricultural pursuits of this country, and

Resolved, That we, the people of the west, are unalterably opposed to any other tariff, except one for revenue alone.

Mr. Forrest moved that the joint resolution and pending amendment be referred to the committee on Federal Relations.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 7, nays 8, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Fisher, Forrest, Irvine, Lord, McDonald, Owens, Parker, Seitz, Sherrick, Steedman, Stokes, Williams and Wilson—17.

Those who voted in the negative were—

Messrs. Beer, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley, Richards and Sabine—8.

So the motion was agreed to.

Mr. Kelley submitted the following report:

The standing committee on Manufactures and Commerce, to whom was referred S. J. R. No. 14—Mr. Benson—Requesting United States Senators and Representatives in Congress to exert their best endeavors to prevent any change in the tariff on wool and woolen goods—

Having had the same under consideration, report it back, without recommendation.

D. Wagener, J. M. Armstrong,
Geo. P. Tyler, J. B. Williams,
G. A. Grove.

Mr. Steedman moved that the joint resolution be referred to the committee on Federal Relations.

Which was agreed to.

Mr. Steedman submitted the following report:

The standing committee on Currency, to whom was referred H. J. R. No. 4—Mr. Bohl—Instructing our Senators and requesting our Representatives to urge the repeal of the resumption act—

Having had the same under consideration, report it back, and a majority recommend its passage.

James B. Steedman, W. T. Forrest,
B. W. Carlisle, J. C. McDonald.

On motion of Mr. Johnston, the further consideration of said joint resolution, was postponed until 3 o'clock P. M. to-day.

Mr. Armstrong submitted the following report:

The standing committee on Soldiers' and Sailors' Orphans' Home and School for Imbecil Youth, to whom was referred S. B. No. 94—Mr. Carlisle—For the better organization and management of the imbecile asylum—

Having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

Strike out the words in line 3, sec. 1, "two of whom shall be."

Strike out in line 4, sec. 4, the words, "resident of Franklin county."

Strike out in line 3, sec. 5, after the word "establish" the words "and also," and insert "they shall."

Insert after the word "superintendent," in line 4, sec. 5, "appoint."

Insert in line 4, sec. 5, after the word "matron," "and the board may remove either of them for cause."

Insert in line 5, sec. 5, after the word "superintendent" the word "or." Strike out of lines 5 and 6, of sec. 5, the words "subject however to be discharged."

Strike out in sec. 12, after the word "least," in line 1, the word "two," and insert the word "three."

Strike out the word "two" in line 4, sec. 12, and insert "at least three."

Strike out in line 2, of sec. 13, after the word "or" the word "two," and insert "three."

J. M. Armstrong, J. B. Williams,
Geo P. Tyler, W. H. Stokes,
John Seitz.

On motion of Mr. Armstrong, the consideration of the report was postponed until Wednesday next.

Mr. Benson submitted the following report:

The standing committee on Unfinished Business, to whom was referred H. B. No. 13—To change the surname of a person therein named—

Having had the same under consideration, report it back, and recommend its passage.

John H. Benson, J. B. Williams,
D. Wagener, John Irvine.

Said bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Johnston offered the following joint resolution:

S. J. R. No. 29—To provide for the appointment of a committee to inquire into the condition of the canals belonging to the state.

Be it resolved by the General Assembly of the State of Ohio, That a committee of two on the part of the Senate, and ——— on the part of the House be appointed to inquire into and ascertain the present condition of the canals belonging to the state, what amount, if any, may be needed to put the same in as good repair as they were at the time the contract with the present lessees was entered into, also to ascertain, as nearly as may be, the amount expended in the repair of the same during said time and the cost of operating the same, the amount of receipts of the same by the lessees thereof from tolls, water-privileges and other sources, as well as the present value of the property of the lessees now in the hands of the receivers heretofore appointed, and that said committee shall have power to send for persons and papers, and that they make report to this General Assembly at as early a day as may be practicable.

Mr. Carlisle moved that said joint resolution be referred to committee on Public Works.

Which was agreed to.

Mr. Benson submitted the following report:

The standing committee on Roads and Highways, to whom was referred H. B. No. 234—Mr. Johnson—To repeal an act entitled "An act requiring the trustees of Fairfield township, Tuscarawas county, to open a certain county road through said township," passed April 11, 1877. (O. L., vol. 74, p. 438)—

Having had the same under consideration, report it back, and recommend its passage.

B. W. CARLISLE, J. B. WILLIAMS,
JOHN C. MCDONALD, JOHN H. BENSON,
THOS. S. JACKSON, LINDSEY KELLEY,
C. S. PARKER.

Said bill was ordered to be engrossed and read the third time this afternoon.

Mr. Beer submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 117—To authorize the trustees of Troy township, Richland county, Ohio, to join with the council of the incorporated village of Lexington, in the construction of a town hall for the joint use of said township and village—

Having had the same under consideration, report it back, and recommend its passage.

J. SHERRICK, THOS. M. BEER,
IRVINE DUNGAN, H. W. CURTISS,
J. M. CARSON.

Said bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Carlisle submitted the following report:

The standing committee on Roads and Highways, to whom was referred H. B. No. 174—Mr. Johnson—To authorize the commissioners of Tuscarawas county to build one or more bridges within the corporate limits of the village of New Comerstown, in said county—

Having had the same under consideration, report it back, and recommend its passage.

B. W. CARLISLE, J. B. WILLIAMS,
JOHN C. MCDONALD, JOHN H. BENSON,
THOS. S. JACKSON, LINDSEY KELLEY,
C. S. PARKER.

Said bill was ordered to be engrossed and read the third time this afternoon.

Mr. Steedman, on leave, introduced the following bill, which was read the first time:

S. B. No. 100—To establish a fourth sub-division of the fourth judicial district, and to provide for the election of judges therein.

Mr. Kelley moved that the Senate take a recess.

Which was disagreed to.

Mr. Dungan submitted the following report:

The standing committee on Corporations other than Municipal, to whom was referred H. B. No. 185—To authorize the trustees of Wellington township, in Lorain county, to purchase a site for a town hall and to sell the town hall and site now owned by said township—

Having had the same under consideration, report it back, and recommend its passage.

IRVINE DUNGAN, R. G. RICHARDS,
LYMAN J. JACKSON, J. M. ARMSTRONG,
J. SHERRICK.

Said bill was ordered to be engrossed and read the third time to-morrow.

On motion of Mr. Johnston, the Senate took a recess.

THREE O'CLOCK P. M.

Mr. Steedman moved that H. J. R. No. 4, which was made the special order for this hour be postponed until Wednesday next at 3 o'clock P. M.

Which was agreed to.

H. B. No. 234—Mr. Johnson—To repeal an act entitled "An act requiring the trustees of Fairfield township, Tuscarawas county, to open a certain county road through said township," passed April 11, 1877.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 18, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Irvine, Johnston, Kelley, Owens, Parker, Sabine, Seitz, Steedman, Stokes, Wagener and Williams—18.

So the bill passed. The title was agreed to.

Mr. Armstrong asked and obtained leave of absence for to-morrow for the committee on Soldiers' and Sailors' Orphans' Home and School for Imbecile Youth.

Mr. Dungan submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled the following bill and joint resolutions:

S. B. No. 63—To authorize the board of education of Ada union school district of Ada, Hardin county, Ohio, to issue bonds and levy a tax for the payment of the same, to erect and furnish additional school buildings.

S. J. R. No. 20—Relating to occupancy of the Berme Bank of the Miami canal by the narrow gauge railroad company.

S. J. R. No. 25—Providing for the distribution of the report of the Commissioner of railroads and telegraphs for the year 1876.

S. J. R. No. 16—Relative to providing better ventilation for the State House.

IRVINE DUNGAN, F. M. CARTER,
A. D. MARSH, J. R. JOHNSTON,
J. W. WASHBURN, R. G. RICHARDS.

Mr. Dungan submitted the following report:

The joint committee on Enrollment have examined and found correctly enrolled the following joint resolution:

S. J. R. No. 7—Authorizing the printing and distribution of agricultural reports, and authorizing the Secretary of State to provide for the execution and supervision of State printing and binding.

IRVINE DUNGAN, J. R. JOHNSTON,
J. W. WASHBURN, A. D. MARSH,
F. M. CARTER. R. G. RICHARDS.

Mr. Dungan submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled the following bill.

H. B. No. 256—To authorize the commissioners of Auglaize county to borrow money to cover deficiency arising by reason of the defalcation in county treasury fund.

DUNCAN DOW, A. D. MARSH,
WM. JESSUP, C. R. HARMON,
IRVINE DUNGAN, J. R. JOHNSTON,
C. F. KRIMMEL.

Mr. Dungan submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled the following joint resolution.

H. J. R. No. 18—Authorizing the Secretary of State to have copies of laws of the General Assembly printed for distribution among the members.

J. W. Washburn, A. D. Marsh,
D. Dow, E. S. Perkins,
F. M. Carter, Wm. Jessup,
Irvine Dungan, R. G. Richards,
J. R. Johnston.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled the following bills and joint resolution.

S. B. No. 48—To authorize the city of Fremont to issue bonds and borrow money for the completion of city hall and fire engine house.

H. B. No. 34—To authorize the council of the incorporated village of Middletown, to issue bonds for the purchase of grounds, and the erection and completion of a town hall, engine and hose house, and prison.

S. J. R. No. 21—Authorizing the printing of the papers and testimony before the penitentiary investigating committee.

Irvine Dungan, J. R. Johnston,
R. G. Richards, F. M. Carter,
J. W. Washburn, A. D. Marsh.

Mr. Williams submitted the following report:

The standing committee on Roads and Highways, to whom was referred S. B. No. 74—To amend sections 5 and 6 of "An act entitled an act relating to roads and highways," passed March 9, 1868, (vol. 65, p. 16, L. O)—

Having had the same under consideration, report it back, and recommend its passage.

B. W. Carlisle, J. B. Williams,
John C. McDonald, John H. Benson,
Thos. S. Jackson, Lindsey Kelley,
C. S. Parker.

Said bill was ordered to be engrossed and read the third time, now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Lord, Owens, Parker, Richards, Sabine, Seitz, Steedman, Stokes, Williams and Wilson—22.

Mr. Wagener voted in the negative—1.

So the bill passed. The title was agreed to.

Mr. Seitz moved to reconsider the vote by which S. B. No. 45 was passed.

On which motion the yeas and nays were demanded, taken and resulted—yeas 10, nays 12, as follows:

Those who voted in the affirmative were—

Messrs. Fisher, Howland, Jackson of Clinton, Johnston, Kelley, Owens, Parker, Richards, Seitz and Wilson—10.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Curtiss, Dungan, Forrest, Irvine, Jackson of Perry, Lord, Steedman, Stokes, Wagener and Williams—12.

So the motion was disagreed to.

Mr. Forrest, on leave, introduced the following bill which was read the first time:

S. B. No. 101—To amend section 3 of an act entitled "An act to provide for the more prompt and efficient collections of claims due the State."

Mr. Forrest, on leave, introduced the following bill, which was read the first time:

S. B. No. 102—To provide for the reorganization of a board of infirmary directors in cities of the first class, having a population exceeding 180,000, and to repeal certain acts therein named.

Mr. Howland, on leave, introduced the following bill, which was read the first time:

S. B. No. 103—To authorize the council of the village of Ashtabula, Ashtabula county, O., to levy a tax for the improvement of Ashtabula harbor in said village.

Mr. Steedman, on leave, introduced the following bill, which was read the first time:

S. B. No. 104—To amend sections 53 and 54, of an act entitled "An act to provide for the creation and regulation of incorporated companies in the state of Ohio," passed May 1, 1852, (S. & C., pp. 271, 299 and 300), as amended by "An act to provide for the creation and regulation of incorporated companies in the state of Ohio, passed April 17, 1867, (S. & C., p. 157), and to provide for the creation and regulation of competing gas companies."

Mr. Forrest, on leave, introduced the following bills, which were read the first time:

S. B. No. 105—To amend sections 1, 3 and 9, of an act entitled "An act to establish boards of control and to prescribe their duties," passed March, 1872, (O. L., v. 69, pp. 40, 41 and 42).

S. B. No. 106—To amend sec. 24, of "An act relating to wills and the repeal of former acts relating thereto," passed May 3, 1852, sec. 513 of the code of civil procedure, and sec. 5 of "An act to relieve district courts and to give greater efficiency to the judicial system of the state," passed April 12, 1858, as amended May 16, 1868.

Mr. Dungan submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 116—"To authorize the village council of the incorporated village of Mechanicsburg, Champaign county Ohio, to levy a tax and issue bonds for building a town hall, engine room, and jail"—

Having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended:

In line 9 of section 2, strike out "semi."

IRVINE DUNGAN, H. W. CURTISS,
J. M. CARSON, THOS. M. BEER.

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time now, and was then read.

The question being, "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 19, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carson, Curtiss, Dungan, Fisher, Howland,

Irvine, Jackson of Clinton, Jackson of Perry, Kelley, Lord, Owens, Parker, Richards, Stokes, Wagener Williams and Wilson—19.

So the bill was passed. The title was agreed to.

Mr. Dungan submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 51—To authorize the council of the city of Canton, Ohio, to appoint a board of trustees to take charge of property bequeathed to the poor of said city, and hold the same in trust for them—

Having had the same under consideration, report it back, and recommend its passage.

IRVINE DUNGAN, W. P. HOWLAND,
LYMAN J. JACKSON, J. R. JOHNSTON,
W. T. FORREST.

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 25, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Lord, McDonald, Owens, Parker, Richards, Seitz, Steedman, Stokes, Wagener, Williams and Wilson—25.

So the bill was passed. The title was agreed to.

Mr. Dungan submitted the following report:

The joint committee on Enrollment have examined and found correctly enrolled the following bill:

Sub. for H. B. No. 27—Supplementary to an act entitled "An act for the creation and regulation of incorporated companies in the State of Ohio," passed May 1, 1852, (S. & C., 271,) and to repeal section eleven of "An act entitled an act to incorporate the Beverly College," at Beverly.

C. R. HARMON, E. S. PERKINS,
WM. JESSUP, J. W. WASHBURN,
A. D. MARSH, IRVINE DUNGAN,
F. M. CARTER, R. G. RICHARDS.

Mr. Carlisle submitted the following report:

The committee on Agriculture, to whom was referred H. B. No. 82—To authorize the trustees of the Mutual Protection Association of Patrons of Husbandry to move their office—

Having had the same under consideration, report it back and recommend its passage.

B. W. CARLISLE, J. M. CARSON,
J. B. WILLIAMS, W. H. STOKES,
THOS. S. JACKSON.

Said bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Fisher moved that H. B. No. 174—"To authorize the commissioners of Tuscarawas county to build one or more bridges within the corporate limits of the village of New Comerstown, in said county," be taken up.

Which was agreed to.

Said H. B. No. 174 was then read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 25, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Lord, McDonald, Owens, Parker, Richards, Sabine, Seitz, Steedman, Stokes, Wagener, Williams and Wilson—25.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills and joint resolutions:

Senate Substitute for H. B. No. 27—Mr. Bohl—Supplementary to an act entitled "an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852, (S. & C., 271,) and to repeal section 11 of an act entitled "An act to incorporate the Beverly College," at Beverly.

S. B. No. 63—Mr. Carson—To authorize the Board of Education of Ada Union school district, Ada, Hardin county, Ohio, to issue bonds, and levy a tax for the payment of the same, to erect and furnish additional school buildings.

S. J. R. No. 7—Mr. Carlisle—Authorizing the printing and distribution of Agricultural Reports, and authorizing the Secretary of State to provide for the execution and supervision of State printing and binding.

S. J. R. No. 20—Mr. Marsh—Relating to occupancy of Berme bank of the Miami canal by the Narrow Gauge railroad company.

Attest: L. A. BRUNNER, *Clerk.*

The President *pro tem.*, in presence of the Senate, signed said bills and joint resolutions.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill and joint resolutions:

S. B. No. 48—Mr. Parker—To authorize the city of Fremont to issue bonds and borrow money for the completion of a city hall and fire engine house.

S. J. R. No. 25—Mr. Fisher—Providing for the distribution of the report of the Commissioner of Railroads and Telegraphs for the year 1878.

S. J. R. No. 21—Mr. Joy—Authorizing the printing of the papers and testimony before the penitentiary investigating committee.

S. J. R. No. 16—Mr. Saltzgaber—Relative to providing better ventilation for the State House.

Attest: L. A. BRUNNER, *Clerk.*

The President *pro tem.*, in presence of the Senate, signed said bill and joint resolutions.

Mr. Benson offered the following joint resolution:

S. J. R. No. 30—WHEREAS, The Congress of the United States having passed a bill known as the Bland Silver Bill, whereby the dollar of the fathers is restored to its proper place as legal money of the United States, and

WHEREAS, By this action the people of the whole nation have been, or will be, greatly benefited, and as there is cause for general rejoicing, therefore,

Be it Resolved by the General Assembly of the State of Ohio, That the Adjutant General be, and he is hereby, instructed to fire a national salute of thirty-eight guns at sun-rise, March the 4th, 1878, in honor of the passage of said bill by the Congress of the United States.

The question being on the adoption of said joint resolution, the yeas and nays were taken and resulted—yeas 18, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Jackson of Perry, McDonald, Owens, Parker, Sabine, Seitz, Steedman, Stokes, Wagener and Williams—18.

Messrs. Howland and Wilson voted in the negative.

So said joint resolution was adopted.

Mr. Johnston presented the petition of S. L. Hand and 330 other citizens of Mahoning county, asking for the passage of an act requiring employers to pay their employes, weekly or semi-monthly, in lawful money, and to prevent the issuing of scrip.

Which was referred to the committee on Mines and Mining.

Mr. Johnston presented the petition of Rees Davis and 372 other citizens of Trumbull county, asking for the passage of an act requiring employers to pay their employes, weekly or semi-monthly, in lawful money, and to prevent and punish the issuing of scrip.

Which was referred to the committee on Mines and Mining.

Mr. Johnston presented the petition of William Schwartzer and 490 other citizens of Leetonia, Ohio, asking for the passage of an act requiring employers to pay their employes, weekly or semi-monthly, in lawful money, and to prevent and punish the issuing of scrip.

Which was referred to the committee on Mines and Mining.

Mr. Johnston presented the petition of David Jones and 790 other citizens of Cuyahoga county, asking for the passage of an act requiring employers to pay their employes, weekly or semi-monthly, in lawful money, and to prevent and punish the issuing of scrip.

Which was referred to the committee on Mines and Mining.

On motion of Mr. Wagener the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk*.

SATURDAY, MARCH 2, 1878—10 o'clock, A. M.

The Senate met pursuant to adjournment.

Prayer by Rev. I. F. Stidham.

The Journal was read and approved.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the adoption of the following joint resolution:

S. J. R. No. 30—Mr. Benson—Authorizing a salute of thirty-eight guns, in honor of the dollar of our fathers.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 148—Mr. Hostetter—To provide for keeping in repair the gravel and macadamized and volunteer roads, located and constructed under the laws of the State, and to repeal certain acts therein named.

H. B. No. 154—Mr. Herrick—To authorize the commissioners of Lorain county to invest surplus funds in United States registered bonds.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to—

H. B. No. 183—Mr. Reed of Ross—To amend section 2 of an act entitled "An act prescribing the rate of taxation for county, bridge, road, and township purposes, and to repeal certain acts therein named," passed April 19, 1877, (O. L., 74, p. 95.)

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill in which the concurrence of the Senate is requested:

H. B. No. 203—Mr. Norton—To authorize the council of the incorporated village of Green Springs to issue bonds for the erection and completion of a town hall and engine house.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to—

H. B. No. 116—Mr. Cowgill—To authorize the village council of the

incorporated village of Mechanicsburg, Champaign county, Ohio, to levy a tax and issue bonds for building a town hall, engine-room and jail.

Attest: L. A. BRUNNER, *Clerk.*

The President laid before the Senate a communication from a citizens' meeting held at Hamilton, Ohio, praying the legislature to give the people of said city an opportunity to vote on the proposition to issue bonds to build water works.

On motion of Mr. Johnston, said communication was referred to the committee on Municipal Corporations.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to—

H. B. No. 48—Mr. Herrick—To amend section 13 of an act entitled "An act relating to roads and highways," passed March 9, 1868.

Attest: L. A. BRUNNER, *Clerk.*

Bills were read the second time and referred as follows:

S. B. No. 99—Mr. Carlisle—To amend an act fixing the rate of interest, passed February 18, 1848, took effect March 1, 1848, passed January 12, 1844 (1824), (Swan & Critchfield, page 744.)

To committee on Judiciary.

S. B. No. 100—Mr. Steedman—To establish a fourth sub-division of the fourth judicial district, and to provide for the election of judges therein.

To committee on Judiciary.

S. B. No. 101—Mr. Forrest—To amend section three of an act entitled "An act to provide for the more prompt and efficient collection of claims due the State. (Swan & Critchfield, volume 2, page 1233.)

To committee on Judiciary.

S. B. No. 102—Mr. Forrest—To provide for the reorganization of a board of infirmary directors in cities of the first-class, having a population exceeding one hundred and eighty thousand, and to repeal certain acts therein named.

To committee on on Municipal Corporations.

S. B. No. 103—Mr. Howland—To authorize the council of the village of Ashtabula, Ashtabula county, Ohio, to levy a tax, issue bonds and raise funds for the improvement of Ashtabula harbor, in said village.

To committee on Judiciary.

S. B. No. 104—Mr. Steedman—To amend sections 53 and 54 of an act entitled "An act to provide for the creation and regulation of incoporated companies in the State of Ohio," passed May 1, 1852, (Swan and Critchfield, pages 271, 299 and 300,) as amended by an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed April 17, 1867, (Swan & Sayler, page 157), and to provide for the creation and regulation of competing gas companies.

To committee on Municipal Corporations.

S. B. No. 105—Mr. Forrest—To amend sections 1, 3 and 9 of an act entitled "An act to establish a board of control, and to prescribe their duties," passed March 13, 1872, (Ohio Laws, vol. 69, pages 40, 41 and 42.)

To committee on Privileges and Elections.

S. B. No. 106—Mr. Forrest—To amend section 24 of an act relating to wills, and the repeal of former acts relating thereto, passed May 3, 1852, section 513 of the code of civil procedure, and section 5 of an act to relieve district courts, and to give greater efficiency to the judicial system of the State, passed April 12, 1858, as amended May 16, 1868.

To the committee on Judiciary.

H. B. No. 185—Mr. Herrick—To authorize the trustees of Wellington township, in Lorain county, to purchase a site for a town hall and to sell the town hall and site now owned by said township.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 19, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Howland, Irvine, Jackson of Perry, Johnston, Kelley, Lord, McDonald, Owens, Parker, Sabine, Steedman, Wagener and Wilson—19.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate substitute for H. B. No. 194—Mr. Alexander—excepting the following:

1. In section 1, lines 15 and 16, "For repair of roof and terrace of State House, $150."
2. In section 1, line 31, "For contingent expenses, $100."
3. In section 1, lines 33 and 34, "For traveling expenses, $125.65."
4. In section 1, lines 82, 83 and 84, "For C. S. Smart, for labor and services in preparing and supervising the Ohio Educational Exhibit for the Centennial Exposition, $1,000."
5. In section 3, line 40, "For material and labor, $2,000."
6. In section 3, line 52, "Salaries of Clerks, $2,000."
7. In section 3, line 99, "contingent expenses, $225.00."
8. In section 4, line 11, "current expenses, $15,000."
9. In section 4, line 14. "Salaries of officers, "$500."
10. In section 4, line 25, "Salaries, $6,750."
11. Reducing the appropriation, "for clerk of commissioner of common schools, from $875 to $700."
12. In miscellaneous, disagree to striking out "A. J. Rickhoff, expenses as manager at Centennial Exhibition, $112."
13. Columbus hospital for the insane, disagree to striking out the following, "for sewerage, $2,000."

And the House concurs in Senate amendment in section 1, line 8, after striking out "expenses," and inserting "payment of."

Attest: L. A. Brunner, *Clerk.*

Mr. Howland moved that the Senate insist on its amendments to substitute for H. B. No. 194.

Which was agreed to.

Mr. Johnston demanded a call of the Senate.

Messrs. Forrest, Joy, Richards and Sherrick were absent.

Leave of absence was asked and obtained for Messrs. Joy and Forrest until Monday next.

Leave of absence was asked and obtained for Mr. Beer until Monday next.

On motion of Mr. Carlisle, further procedings under the call were dispensed with.

Mr. Jackson of Perry submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 108—To authorize certain institutions to receive donations, devises and bequests—

Having had the same under consideration, report it back and recommend its passage.

LYMAN J. JACKSON, J. R. JOHNSTON,
D. WAGENER, W. P. HOWLAND.

Said bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Jackson of Perry submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 60—To amend section 6, and repeal section 8, of chapter 6, of title 2, of an act entitled "An act to amend, revise and consolidate the statutes relating to criminal procedure," passed May 5, 1877—

Having had the same under consideration, report it back without recommendation.

LYMAN J. JACKSON, IRVINE DUNGAN,
W. P. HOWLAND, D. WAGENER,
J. R. JOHNSTON.

Said bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Howland submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 96—Supplementary to the first section of the act entitled "An act to amend section 1 of an act entitled an act providing for inclosing railroads by fences and cattle-guards," as amended April 26, 1871, passed April 18, 1874, (v. 71, p. 85)—

Having had the same under consideration, report it back without recommendation.

W. P. HOWLAND, IRVINE DUNGAN,
J. R. JOHNSTON, LYMAN J. JACKSON.

Said bill was ordered to be engrossed and read the third time on Tuesday next.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives, and read the first time:

H. B. No. 308—Mr. Cowgill—To provide for locating, establishing and constructing ditches and drains, and for cleaning out and straightening streams and water courses.

H. B. No. 309—Mr. Herrick—To amend section one of the act of April 2, 1866, (63 v. 84, S. & S., 783), entitled "An act to authorize the erection, improving, enlarging or constructing additions to town halls, and to repeal an act therein named.

H. B. No. 310—Mr. Washburn—To authorize the commissioners of

Ross county to change the valuation on certain real estate for the purpose of taxation.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Howland submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 14—To amend an act entitled "An act to amend section 28 of the code of civil procedure," passed March 30, 1874, (Laws, 1874, p. 47)—

Having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended:

Strike out all after the word "him," in line 16, to and including the word "families," in line 18.

W. P. HOWLAND, J. R. JOHNSTON,
IRVINE DUNGAN, LYMAN J. JACKSON.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Howland submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 151—To amend section 6 of the act entitled "An act to amend an act to exempt the homestead of families from forced sale on execution to pay debts," passed March 25, 1850, passed April 9, 1869, (66, O. L., 48)—

Having had the same under consideration, report it back, and recommend its passage.

W. P. HOWLAND. IRVINE DUNGAN,
J. R. JOHNSTON, LYMAN J. JACKSON.

Said bill was ordered to be engrossed and read the third time on Tuesday next.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives requests the appointment of a committee of conference on Senate substitute for H. B. No. 194—Mr. Alexandar—Making appropriations for deficiencies and partial appropriations, for the year 1878.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Curtiss moved that the Senate accede to the request of the House of Representatives in the appointment of a committee of Conference on sub. for H. B. No. 194.

Which was agreed to.

The President appointed Messrs. Lord, Steedman and Curtiss, as such committee, on part of the Senate.

On motion of Mr. Curtiss, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

MONDAY, MARCH 4, 1878—10 o'clock A. M.

The Senate met pursuant to adjournment.

Prayer by Rev. R. V. Griffith.

The Journal was read and approved.

The following bill was read the second time:

H. B. No. 203—Mr. Norton—To authorize the council of the incorporated village of Green Springs to issue bonds for the erection and completion of a town hall and engine house.

To committee on Municipal Corporations.

On Demand of Mr. Forrest, a call of the Senate was had.

Messrs. Beer, Curtiss, Fisher, Irvine, Jackson of Perry, Johnston, Krimmel, Lord, McDonald, Sherrick, Steedman, Stokes and Wilson were absent.

Mr. Marsh asked and obtained leave of absence for Mr. Lord, on account of illness in his family, for to-day.

Mr. Carlisle asked and obtained leave of absence for Mr. McDonald, for to-day.

Mr. Tyler asked and obtained leave of absence for Mr. Krimmel, for to-day.

Mr. Richards asked and obtained leave of absence for Mr. Johnston, on account of sickness, for to-day.

Mr. Howland asked and obtained leave of absence for Mr. Beer, for to-day.

Mr. Howland moved that further proceedings under the call be dispensed with.

Which was agreed to.

Mr. Forrest moved that S. B. No. 49 be referred to the committee on Finance.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has appointed Messrs. Bloom, Alexander and Herrick as a Conference committee on the part of the House to consider the difference on Senate substitute for—

H. B. No. 194—Mr. Alexander—Making appropriations for deficiencies, and partial appropriations for the year 1878.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 311—Mr. Palmer—To authorize the trustees of Olmstead township, in the county of Cuyahoga, to issue bonds to the amount of $6,000 for the purpose of buying land and to erect and repair suitable buildings thereon for infirmary purposes.

H. B. No. 312—Mr. Levering—Authorizing the commissioners of Morrow county to levy a tax to pay indebtedness upon and for improving the grounds of the Morrow county agricultural society.

H. B. No. 313—Mr. Parker—To establish boards of control, and describe their duties.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time.

H. B. No. 314—Mr. Poe—To authorize the trustees of Olmstead township, Cuyahoga county, Ohio, to join with the council of the incorporated village of Olmstead Falls in the construction of a town hall for the joint use of said township and said village.

H. B. No. 315—Mr. McCoy of Wayne—To enforce the lien of mechanics for work made or repair at their shops.

H. B. No. 316—Mr. Leggett—To authorize township trustees to purchase Swan's treatise for Justices of the Peace.

H. B. No. 317—Mr. Morrey—To relieve the incorporated village of McConnelsville.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 163—Mr. Stubbs—To authorize the vacation of abandoned turnpikes and plank roads, and their establishment as county roads.

H. B. No. 238—Achauer—To change the name of St. John's First Evangelical Church, of Zanesville, in the county of Muskingum, Ohio.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

Mr. Forrest gave notice of his intention to introduce a bill on Wednesday next, or some subsequent day of the session, to authorize the board of trustees of the Cincinnati Hospital to establish a branch hospital for the accommodation of persons afflicted with contagious diseases.

On motion of Mr. Richards, the Senate took a recess.

THREE O'CLOCK P. M.

Mr. Seitz offered the following resolution, which was adopted:

S. R. No. 47—WHEREAS, A distinguished citizen of Ohio, a former member of this body, and an active and prominent member of the Senate of the United States, has passed to that bourne from whence no traveler returns, and

WHEREAS, We recognize in the life of the late Hon. Benjamin F. Wade, devotion to his convictions of public duty during an eventful period of our country's history, therefore,

Resolved, That as a token of respect for the memory of the deceased, the Adjutant General be requested to display at half mast the flags upon the State House, during to-morrow, the fifth day of March.

Resolved, That a copy of the above preamble and resolution be by the clerk transmitted forthwith to the family of the deceased.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 318—Mr. Wr ght—To amend section 543 of an act entitled "An act to provide for the organization and government of municipal corporations," passed May 7, 1869, as amended April 11, 1876, (O. L., 73, p. 171).

H. B. No. 319—Mr. Green—Supplementary to the act of May 1, 1873, entitled "An act for the reorganization and maintenance of common schools, and the several acts amendatory thereof, (O. L., vol. 70, p. 195).

H. B. No. 320—Mr. Mack—To define the boundaries of Portage township, Summit county, Ohio.

H. B. No. 321—Mr. Poe—To give entire control of the so-called market fund of the city of Cleveland to the council of said city.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Lord, from conference committee on substitute for H. B. No. 194, made the following report:

The committee of Conference, to whom was referred the matt rs of difference between the two houses on Senate substitute for H. B. No. 194, have agreed, and recommend as follows, viz.:

That the Senate recede from its amendments, except the 5th, 7th, 10th 11th items, and that the House concur in the Senate amendment noted under the 9th item, and that as to the amendment made by the House, noted under item No. 14, the Senate do concur therein.

As to item No. 5, the committee of Conference recommend that an appropriation of $1,000 be made.

As to item No. 7, the committee of Conference recommend that an appropriation of $125 be made.

As to item No. 10, the committee of Conference recommend that an appropriation of $5,150 be made.

As to item No. 11, the committee of Conference recommend that an appropriation of $800 be made.

HENRY C. LORD,
J. B. STEEDMAN,
H. W. CURTISS,
Senate Committee.

S. S. BLOOM,
ROSS J. ALEXANDER,
LUCIUS HERRICK.
House Committee.

The question being on the adoption of the report of the conference committee, the yeas and nays were taken, and resulted—yeas 21, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Fisher, Forrest, Grove, Jackson of Clinton, Jackson of Perry, Kelley, Krimmel, Lord, Owens, Parker, Sabine, Seitz, Tyler, Wagener and Williams—21.

Those who voted in the negative were—

Messrs. Carson and Marsh—2.

So said report was adopted.

Mr. Krimmel submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled the following bills:

H. B. No. 234—To repeal an act entitled "An act requiring the trustees of Fairfield township, Tuscarawas county, to open a certain county road through said township," passed April 11, 1877, (O. L., v. 74, p. 438).

H. B. No. 185—To authorize the trustees of Wellington township, in Lorain county, to purchase a site for a town hall, and to sell the town hall and site now owned by said township.

H. B. No. 71—To amend section 1 of an act to amend sections 1 and 4 of an act entitled "An act to provide for the repair of free turnpike roads in certain counties and to authorize the county commissioners of any county in this State to constitute a board of directors to regulate the hauling of heavy burdens on any free turnpike or improved road," passed and took effect April 20, 1874; passed March 17, 1875, (O. L., v. 72, p. 59); passed April 3, 1876, (O. L., v. 73, p. 151); passed May 2, 1877, (O. L., v. 74, p. 153).

H. B. No. 174—To authorize the commissioners of Tuscarawas county to build one or more bridges within the corporate limits of the village of New Comerstown, in said county.

H. B. No. 116—To authorize the village of Mechanicsburg, Champaign county, Ohio, to levy a tax and issue bonds for building a town hall, engine room and jail.

H. B. No. 48—To amend section 19 of an act relating to roads and highways, passed March 9, 1868.

H. B. No. 183—To amend sections 2 and 3 of an act entitled "An act prescribing the rate of taxation for county, bridge, road and township purposes, and to repeal certain acts therein named," passed April 19, 1877, (O. L., 74, p. 95).

WM. JESSUP,
C. R. HARMON,
R. G. RICHARDS,
E. S. PERKINS,
IRVINE DUNGAN,
C. F. KRIMMEL.

Mr. Krimmel submitted the following report:

The joint committee on Enrollment have examined and found correctly enrolled the following joint resolution:

S. J. R. No. 30—Authorizing a salute of thirty-eight guns, in honor of the dollar of our fathers.

IRVINE DUNGAN,
F. M. CARTER,
C. R. HARMON,
R. G. RICHARDS,
WM. JESSUP,
C. F. KRIMMEL.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 234—Mr. Johnson—To repeal an act entitled "An act requiring the trustees of Fairfield township, Tuscarawas county, to open a certain county road through said township," passed April 11, 1877, (O. L., v. 74, p. 438).

H. B. No. 174—Mr. Johnson—To authorize the commissioners of Tuscarawas county to build one or more bridges within the corporate limits of the village of New Comerstown, in said county.

H. B. No. 116—Mr. Cowgill—To authorize the village council of the incorporated village of Mechanicsburg, Champaign county, Ohio, to levy a tax and issue bonds for building a town hall, engine room and jail.

Attest: L. A. BRUNNER, *Clerk.*

The President *pro tem.*, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 48—Mr. Herrick—To amend section 13 of an act entitled "An act relating to roads and highways," passed March 9, 1868.

H. B. No. 183—Mr. Reed of Ross—To amend section 2 of an act entitled "An act prescribing the rate of taxation for county, bridge, road and township purposes, and to repeal certain acts therein named," passed April 19, 1877, (O. L., 74, p. 95).

H. B. No. 185—Mr. Herrick—To authorize the trustees of Wellington township, in Lorain county, to purchase a site for a town hall, and to sell the town hall and site now owned by said township.

H. B. No. 71—Mr. Sullivan of Miami—To amend section 1 of an act to amend sections 1 and 4 of an act entitled "An act to provide for the repair of free turnpike roads in certain counties, and to authorize the county commissioners of any county in this State to constitute a board of directors to regulate the hauling of heavy burdens on any free turnpike or improved road," passed and took effect April 20, 1874; passed March 17, 1875; (O. L., v. 72, p. 59), passed April 3, 1876; (O. L., v. 73, p. 151), passed May 2, 1877; (O. L., v. 74, p. 153), and for other purposes.

Attest: L. A. BRUNNER, *Clerk.*

The President *pro tem.*, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills in which the concurrence of the Senate is requested:

H. B. No. 143—Mr. Hayman—To authorize the board of education of the city of Portsmouth to borrow money to complete a school house now being erected in said city, and to issue bonds for the payment of the same.

H. B. No. 191—Mr. Sullivan of Hamilton—Authorizing the commissioners of Hamilton county to repair and to keep in repair the approaches to the Union bridge.

H. B. No. 193—Mr. Sullivan of Hamilton—To authorize the trustees of Anderson township, Hamilton county, Ohio, to transfer money from the poor fund to road fund, and from township fund to road fund.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

Mr. Carson submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred H. B. No. 110—Mr. Stubbs—To add additional territory to West Elkton school district and to create West Elkton special school district—

Having had the same under consideration, report it back, and recommend its passage.

J. M. Carson, D. Wagener,
Thos. M. Beer, G. A. Grove,
R. G. Richards, H. C. Lord.

The bill was ordered to be engrossed at the Clerk's desk and read the third time now.

The bill was then read.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 20, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Fisher, Forrest, Grove, Jackson of Clinton, Jackson of Perry, Kelley, Krimmel, Lord, Owens, Parker, Sabine, Tyler, Wagener and Williams—20.

Mr. Howland voted in the negative—1.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following joint resolution:

S. J. R. No. 30—Mr. Benson—Authorizing a salute of thirty-eight guns in honor of the dollar of our fathers.

Attest: L. A. Brunner, *Clerk.*

The President, *pro tem.*, in presence of the Senate, signed said joint resolution.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 42—Mr. Owens—To amend section 1 of an act entitled "An act to authorize the city council of Newark, and the county commissioners to unite in building a sewer in said city, and to provide the necessary funds therefor," passed April 30, 1877, (O. L., v. 74, p. 492).

Attest: L. A. Brunner, *Clerk.*

Mr. Beer moved that the Senate adjourn.

Which was disagreed to.

Mr. Krimmel moved that the Senate take a recess until to-morrow morning at 10 o'clock.

Which was disagreed to.

Mr. Krimmel moved that the Senate adjourn in honor of the memory of Hon. Benjamin F. Wade.

Which was agreed to.

Attest: ALLEN O. MYERS, *Clerk.*

TUESDAY, MARCH 5, 1878—10 o'clock A. M.

The Senate met pursuant to adjournment.

Prayer by Rev. R. V. Griffith.

The Journal was read and approved.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 137—Mr. Leggett—To amend section 451 of the code of civil procedure, passed March 11, 1853, (S. & C., 1079).

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 242—Mr. Hitchcock—To authorize the township trustees of the township of Bainbridge, county of Geauga, to levy a tax for purchasing a hearse and erecting a vault.

H. B. No. 142—Mr. Ellis—To authorize the board of education of special school district number one of Carroll and Erie townships, in the county of Ottawa, Ohio, to issue bonds to build a school house, and purchase of site.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

Mr. Saltzgaber presented the remonstrance of the patrons of husbandry of Van Wert county, against class (or special) legislation, and asking for such laws as will forbid the sale of disguised or adulterated mixtures for a pure article.

Which was referred to the Committee on Agriculture.

Mr. Saltzgaber presented the petition of Tobias Koogle and many other citizens of Van Wert county, asking for drainage legislation.

Which was referred to the committee on Drains and Drainage.

Mr. Fisher presented the petition of L. R. Miller and 110 other citizens of Coshocton county, praying for the maintenance and improvement of the canals of the state.

Which was referred to the committee on Public Works.

Bills were read the second time and referred as follows:

H. B. No. 163—Mr. Stubbs—To authorize the vacation of abandoned turnpikes and plank roads, and their establishment as county roads.

To committee on Roads and Highways.

H. B. No. 238—Mr. Achauer—To change the name of St. John's First English Evangelical Church, of Zanesville, in the county of Muskingum, Ohio.

To committee on Corporations other than Municipal.

H. B. No. 143—Mr. Hayman—To authorize the board of education of the city of Portsmouth to borrow money to complete a school house now being erected in said city, and to issue bonds for the payment of the same.

To committee on Common Schools and School Lands.

H. B. No. 191—Mr. Sullivan of Hamilton—Authorizing the commissioners of Hamilton county to repair and keep in repair the approaches to the Union bridge.

To committee on Roads and Highways.

H. B. No. 193—Mr. Sullivan of Hamilton—To authorize the trustees of Anderson township, Hamilton county, Ohio, to transfer money from the poor fund to road fund, and from township fund to road fund.

To committee on Finance.

On demand of Mr. Krimmel a call of the Senate was had.

Messrs. Benson, Joy, Lord, McDonald, Saltzgaber, Sherrick and Steedman were absent.

The Sergeant-at-Arms was dispatched for absentees.

Mr. Richards moved that further proceedings under the call be dispensed with.

Which was agreed to.

Sub. for S. B. No. 59—Mr. Forrest—To amend section 13, of chapter 8, of an act entitled "An act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part 4, of the act to revise and consolidate the general statutes of Ohio," passed May 5, 1877, and to repeal section 14 of chapter 8 of said act.

Was taken up, and said substitute was read. The question being on the adoption of the substitute—

Mr. Howland moved to amend said substitute as follows:

In section 14, line 1, strike out the word "convicted," and insert "fined;" in same section and line, strike out "of" and insert the word "for."

Which was agreed to.

Mr. Wilson moved to amend said substitute as follows:

1. In sec. 1, line 11, between the words "the" and "order" insert the word "written."

2. In sec. 1, line 13, strike out "twenty-five" and insert "fifty."

3. In sec. 1, line 14, between the words "dollars" and the word "the," insert the words "or imprisoned not more than thirty, nor less than five days."

4. In sec, 2, strike out all between the words "liquors," in line 4, and the word "the" in line 7, and insert the words "in violation of law."

5. In sec. 2, line 14, between the words "liquors," and the word "and," insert the words "in violation of law, and will pay all costs, fines, and damages assessed against such person for violation of the laws relating to the sale of intoxicating liquors."

Mr. Howland demanded a division of the question.

The question being on the adoption of the first of said proposed amendments, the yeas and nays were demanded, taken, and resulted—yeas 14, nays 10, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Carson, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley, Owens, Richards, Sabine, Seitz, Williams and Wilson—14.

Those who voted in the negative were—

Messrs. Armstrong, Fisher, Forrest, Grove, Jackson of Perry, Krimmel, Lord, Marsh, Parker and Wagener—10.

So said amendment was agreed to.

The question then being on the adoption of the second of said proposed amendments, the yeas and nays were demanded, taken and resulted—yeas 12, nays 10, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Carson, Curtiss, Fisher, Howland, Jackson of Clinton, Johnston, Kelley, Owens, Richards and Wilson—12.

Those who voted in the negative were—

Messrs. Armstrong, Forrest, Grove, Jackson of Perry, Krimmel, Lord, Parker, Seitz, Wagener and Williams—10.

So said amendment was agreed to.

The question then being on the adoption of the third of said proposed amendments, the yeas and nays were demanded, taken, and resulted—yeas 14, nays 12, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Carson, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley, Marsh, Owens, Richards, Sabine, Seitz and Wilson—14.

Those who voted in the negative were—

Messrs. Armstrong, Fisher, Forrest, Grove, Jackson of Perry, Joy, Krimmel, Lord, Parker, Sherrick, Tyler and Wagener—12.

So said amendment was agreed to.

On demand of Mr. Forrest a call of the Senate was had.

Messrs. Benson, Carlisle, Dungan, Fisher, McDonald and Steedman were absent.

Mr. Johnston moved that further proceedings under the call be dispensed with.

Which was agreed to.

Mr. Forrest moved that the further consideration of said substitute for S. B. No. 59, and pending amendments, be postponed until this afternoon at 3 o'clock.

Which was agreed to.

Mr. Krimmel submitted the following report:

The joint committee on Enrollment have examined and found correctly enrolled the following bills:

H. B. No. 154—To authorize the commissioners of Lorain county to invest surplus funds in United States Registered Bonds.

H. B. No. 148—To provide for keeping in repair the gravel and macadamized and volunteer roads located and constructed under the laws of the State, and to repeal certain acts therein named.

A. D. Marsh,
Irvine Dungan,
Wm. Jessup,
C. F. Krimmel.
J. W. Washburn,
F. M. Carter,
C. R. Harmon,

MESSAGE FROM THE GOVERNOR.

STATE OF OHIO, EXECUTIVE DEPARTMENT.

COLUMBUS, 5th day of March, 1878.

To the Senate:

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint Charles W. Boyd, of Brown county, Ohio, to be director of the Ohio Penitentiary until April 1, A. D. 1881.

Very Respectfully,

RICHARD M. BISHOP, *Governor.*

On motion of Mr. Tyler, said communication was referred to the committee on Penitentiary.

Mr. Dungan submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled the following bills:

H. B. No. 110—To add additional territory to West Elkton school district, and to create West Elkton village district.

Sub. for H. B. No. 194—Making appropriations for deficiencies, and partial appropriations for the year 1878.

IRVINE DUNGAN, R. G. RICHARDS,
C. F. KRIMMEL, F. M. CARTER,
A. D. MARSH, WM. JESSUP,
C. R. HARMON.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

H. B. No. 110—Mr. Stubbs—To add additional territory to West Elkton school district, and to create West Elkton village district.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bill.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

Senate Sub. for H. B. No. 194—Mr. Alexander—Making appropriations for deficiencies, and partial appropriations for the year 1878.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bill.

Mr. Fisher presented the remonstrance of the members of the Board of Education of Perry township, Tuscarawas county, against the passage

of H. B. No. 78, to create a special school district in Gilmore, Tuscarawas county.

Which was referred to the committee on Public Schools.

Mr. Fisher presented the remonstrance of the Board of Education of Washington township, Tuscarawas county, against the passage of H. B. No. 78 to create a special school district in Gilmore, Tuscarawas county.

Which was referred to the committee on Common Schools.

Mr. Fisher presented the remonstrance of the members of the Board of Education of Rush township, Tuscarawas county, against the passage of H. B. No. 78, to create a special school district in Gilmore, Tuscarawas county.

Which was referred to the committee on Common Schools.

Mr. Fisher presented the remonstrance of the members of the Board of Education of Clay township, Tuscarawas county, against the passage of H. B. No. 78, to create a special school district in Gilmore, Tuscarawas county.

Which was referred to the committee on Common Schools.

Mr. Fisher presented the remonstrance of James Taylor and 49 other citizens of Perry and Washington townships, Tuscarawas county, against the passage of H. B. No. 78, to create a special school district in Gilmore, Tuscarawas county.

Which was referred to the committee on Common Schools.

Mr. Fisher presented the remonstrance of Jacob Reitz and 53 other citizens of Washington township, Tuscarawas county, against the passage of H. B. No. 78, to create a special school district in Gilmore, Tuscarawas county.

Which was referred to the committee on Common Schools.

Mr. Fisher presented the remonstrance of David Kennedy and 142 other citizens of Clay and Perry townships, Tuscarawas county, against the passage of H. B. No. 78, to create a special school district in Gilmore, Tuscarawas county.

Which was referred to the committee on Common Schools.

Mr. Fisher presented the remonstrance of Adam P. Parish and 80 other citizens of Rush township, Tuscarawas county, against the passage of H. B. No. 78, to create a special school district in Gilmore, Tuscarawas county.

Mr. Sherrick presented the memorial of John Pollock and 60 other citizens of Stark county, in relation to Senate Bills No. 8, 23, 4, 6, 24, 70 and 15, and House Bills No. 30 and 111.

Which was referred to the committee on Mines and Mining.

Mr. Jackson, of Perry, presented the petition of Fred. Krumm and 200 other citizens of Perry county, for a law to compel payment of wages in legal tender currency.

Which was referred to the committee on Mines and Mining.

Mr. Marsh, on leave, introduced the following bill, which was read the first time:

S. B. No. 107—To repeal section one and section three of "An act to protect more effectually the lives of railroad passengers from casualties by fire," passed May 4, 1869, (S. statutes vol. 3, page 1838).

Mr. Johnston offered the following joint resolution:

S. J. R. No. 31—Providing for the printing and distribution of the fifth volume of the final report of the Geological Corps of Ohio.

Be it resolved by the General Assembly of the State of Ohio, That there be

printed of the fifth volume of the final report of the Geological Corps of Ohio, (being volume III, Geology,) twenty thousand copies, with such maps, plates and sections as are prepared to illustrate the report, the printing to be in the best style, on good paper, in royal octavo, and bound in muslin; two hundred and fifty copies for the Geological Corps, two hundred and fifty copies for the Geological Board, five hundred copies for the State Library, and the remaining for the present General Assembly, to be divided equally among the members thereof, and sent to them as soon as printed and bound. To determine what number of such reports are to be printed in German, it shall be the duty of the Secretary of State to ascertain from each member of this General Assembly, also from the Geological Corps, Geological Board and State Librarian, what number of reports they are entitled to receive, they wish in the German language. The aggregate amount so determined shall be the number authorized to be printed in German, and they shall be distributed accordingly. That there shall be deposited in the township library in each county of the State of Ohio, one copy of this report, by the member representing the same in this General Assembly at the time of their distribution.

Resolved, That the joint resolution relative to the printing and distribution thereof, adopted May 3, 1877, be and the same is hereby rescinded.

Said resolution, on motion, was referred to the committee on Geological Survey.

Mr. Armstrong submitted the following report:

The standing committee on Claims, to whom was referred S. B. No. 93—To authorize the trustees of Center township, Monroe county, to levy a tax to pay a bond issued for local bounty of George Drake—

Having had the same under consideration, report it back and recommend its passage:

J. M. Armstrong, G. A. Grove,
J. B. Williams, John C. McDonald,
C. S. Parker, H. Sabine,
D. D. Beebe.

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 25, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Owens, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—25.

So the bill was passed.

Mr. Seitz moved that the preamble be stricken from the title.

Which was disagreed to.

The title was agreed to.

H. B. No. 117—Mr. Bloom—To authorize the trustees of Troy township, Richland county, Ohio, to join with the council of the incorporated village of Lexington, in the construction of a town hall, for the joint use of said township and village.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 23, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Owens, Sabine, Saltzgaber, Seitz, Stokes, Wagener, Williams Wilson—23.

So the bill was passed. The title was agreed to.

On motion of Mr. Johnston, the Senate took a recess.

THREE O'CLOCK P. M.

Mr. Joy submitted the following report:

The committee on Penitentiary, to whom was referred the appointment of Charles W. Boyd, of Brown county, to be director of the Ohio penitentiary until April 1, 1881—

Having had the same under consideration, report the same back and recommend his confirmation.

D. Joy, H. Sabine,
W. H. Stokes, Theo. Marsh,
Geo. P. Tyler, C. F. Krimmel,
H. W. Curtiss.

Mr. Tyler moved that the Senate advise and consent to the appointment of Charles W. Boyd.

On which motion, the yeas and nays were taken, and resulted—yeas 23, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Jackson of Clinton, Joy, Kelley, Krimmel, Owens, Parker, Sabine, Saltzgaber, Seitz, Stokes, Tyler, Wagener and Williams—23.

So the Senate advised and consented to the appointment of Chas W. Boyd.

On motion of Mr. Forrest, the Senate proceeded to the special order of this hour—substitute for S. B. No. 59.

The pending question being on the adoption of the fourth amendment of Mr. Wilson, to said substitute.

Mr. Forrest moved that the further consideration of said substitute and pending amendments be postponed until to-morrow, and be placed upon the calendar.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 288—Mr. Bull—For the relief of Thornton P. Crowell.

Attest: L. A. Brunner, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 322—Mr. Norton—An act to amend the act entitled "An act to amend the first section of the act entitled an act to amend sections 1, 2, 4, 5, 6 and 11, of an act to authorize the county commissioners to construct roads on petition of a majority of the land owners along and adjacent to the line of said road, and to repeal an act therein named," March 29, 1867, passed March 31, 1868, (O. L., v. 65, p. 4, S. & S., 673).

H. B. No. 323—Mr. Worley—To amend section 93 of an act entitled "An act for the reorganization and maintenance of common schools," passed May 1, 1873.

H. B. No. 324—Mr. Johnson—To authorize the town council of the incorporated village of New Commerstown to purchase a site and build thereon a town hall.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 325—Mr. Dodds—To amend an act entitled "An act supplementary to the act for the relief of insolvent debtors," passed February 1, 1853, (S. & C., 708).

H. B. No. 326—Mr. O'Connor—To establish the Ohio soldiers' and sailors' widows' home.

H. B. No. 327—Mr. Green—To amend the act of March 9, 1868, entitled "An act relating to roads and highways."

H. B. No. 328—Mr. White—To amend sections 7 and 8 of an act prescribing the rate of taxation for county, bridge, road and township purposes, passed April 19, 1877, (O. L., v. 74, pp. 97–8), and to repeal an act to amend section 18, of an act relating to roads and highways, passed March 9, 1868, (O. L., v. 65, p. 19), as amended April 20, 1877, (O. L., v. 74, p. 100).

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 329—Mr. Eylar—To authorize the commissioners of Adams county to construct a free turnpike road from the terminus of the Russellville and Winchester free turnpike road at the Brown county line, to the village of Winchester, in said county of Adams.

H. B. No. 330—Mr. Sullivan of Hamilton—To amend section 62 of an act to provide for the organization and government of municipal corporations, passed May 7, 1869, as amended April 4, 1872.

Attest: L. A. BRUNNER, *Clerk.*

H. B. No. 82—Mr. Baker—To authorize the trustees of the mutual protection association of patrons of husbandry to move their office.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Parker, Sabine, Saltzgaber, Seitz, Sherrick, Stokes, Williams and Wilson—24.

So the bill was passed. The title was agreed to.

H. B. No. 108—Mr. Alexander—To authorize certain institutions to receive donations, devises and bequests.

Was read the third time.

Mr. Dungan moved to refer the bill to a select committee of one with instructions to amend as follows:

Insert "educational" in line 2, after the word "benevolent."

Which was agreed to, and Mr. Dungan was appointed such select committee.

Mr. Dungan on leave, submitted the following report:

The select committee of one, to whom was referred H. B. No. 108, with instructions to amend, reports the same back amended as instructed.

IRVINE DUNGAN.

Mr Johnston moved to refer the bill to a select committee of one with instructions to amend as follows:

Insert in line 3, of section 1, between the word "state," and "shall," the following, "wholly or in part under the control of the State."

Which was agreed to, and Mr. Johnston was appointed such committee.

Mr. Johnston on leave, submitted the following report:

The select committee of one, to whom was referred H. B. No. 108, with instructions to amend, reports the same back amended as instructed.

J. R. JOHNSTON.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 25, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Lord, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Wagener, Williams and Wilson—25.

Mr. Dungan voted in the negative—1.

So the bill was passed. The title was agreed to.

S. B. No. 60—Mr. Forrest—To amend section 6 and repeal section 8 of chapter 6 of title 2, of an act entitled an act to amend, revise and consolidate the statutes relating to criminal procedure, passed May 5, 1877.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 11, nays 18, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carson, Fisher, Forrest, Irvine, Jackson of Clinton, Seitz, Stokes, Wagener and Williams—11.

Those who voted in the negative were—

Messrs. Beebe, Curtiss, Dungan, Grove, Howland, Jackson of Perry, Johnston, Joy, Kelley, Lord, Owens, Parker, Richards, Sabine, Saltzgaber, Sherrick, Tyler and Wilson—18.

So the bill, having failed to receive a constitutional majority, was lost.

S. B. No. 96—Mr. Wagener—Supplementary to the first section of the act entitled an act to amend section one of an act entitled an act "providing for enclosing railroads by cattle guards," as amended April 26, 1871, passed April 18, 1874, (O. L., vol. 71, page 85).

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 2, nays 21, as follows:

Those who voted in the affirmative were—

Messrs. Wagener and Williams—2.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Lord, Parker, Richards, Seitz, Stokes, Tyler and Wilson—21.

So the bill, having failed to receive a constitutional majority, was lost.

H. B. No. 14—Mr. Haley—To amend section 28 of the code of civil procedure, passed March 30, 1874.

Was read the third time.

Mr. Howland moved that the further consideration of said bill be postponed, in order that it might be properly engrossed.

Which was agreed to.

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 5th day of March, 1878.

To the Senate:

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint—

Lewis D. Campbell, of Butler county,
John M. Milliken, of Butler county,
Henry C. Lord, of Hamilton county,
James W. Owens, of Licking county,
James E. Neal, of Butler county,
John H. Thomas, of Clark county,
I. T. Schouler, of Preble county,
John B. Peaslee, of Hamilton county, and
John W. Herron, of Hamilton county,

To be trustees of Miami University, for the term of nine years from March 1, 1878.

Very respectfully,

RICHARD M. BISHOP, *Governor.*

Which communication was, on motion, referred to the committee on Universities, Colleges and Academies.

H. B. No. 151—Mr. McCoy, of Wayne—To amend section 6 of the act entitled "an act to amend an act to exempt the homesteads of families from forced sale, on execution, to pay debts, passed March 23, 1850," passed April 9, 1869, (66 Ohio Laws, 48).

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 24, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Lord, Owens, Parker, Richards, Sabine, Saltzgaber, Stokes, Tyler, Wagener, Williams and Wilson—24.

So the bill was passed. The title was agreed to.

Mr. Forrest moved that the special order, viz., S. B. No. 50 be proceeded with.

Which was agreed to.

The question recurring on Mr. Forrest's motion to refer said bill to a select committee of one, with instructions to amend—

On which motion the yeas and nays were demanded, taken, and resulted—yeas 17, nays 10, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Curtiss, Forrest, Grove, Howland, Jackson of Clinton, Johnston, Kelley, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick and Wilson—17.

Those who voted in the negative were—

Messrs. Dungan, Fisher, Irvine, Krimmel, Lord, Marsh, Stokes, Tyler, Wagener and Williams—10.

So the motion was agreed to, and Mr. Forrest was appointed such committee.

Mr. Forrest, on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No. 50, with instructions to amend, reports the same back amended as instructed.

W. T. Forrest.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 19, nays 9, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Johnston, Joy, Krimmel, Lord, Marsh, Parker, Richards, Saltzgaber, Seitz, Stokes, Wagener and Williams—19.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Clinton, Kelley, Sabine, Sherrick and Wilson—9.

So the bill was passed. The title was agreed to.

Mr. Lord, on leave, introduced the following bill, which was read the first time:

S. B. No. 108—To authorize the Board of Education of South Bend school district, in Delhi township, Hamilton county, Ohio, to issue bonds to obtain money for building a school house.

Mr. Dungan submitted the following report:

The joint committee on Enrollment have examined and found correctly enrolled, the following bill:

H. B. No. 49—To authorize the incorporated village of Port Clinton, Ohio, to transfer funds.

A. D. Marsh, C. R. Harmon,
F. M. Carter, E. S. Perkins,
Wm. Jessup, J. R. Johnston,
Duncan Dow, Irvine Dungan.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 37—Mr. Wright—To punish the offense of advertising for divorces—

Having had the same under consideration, report it back without recommendation.

W. T. Forrest, J. R. Johnston,
W. P. Howland, Irvine Dungan,
Lyman J. Jackson.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 276—To give proper effect to an act therein named—

Having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended:

To strike out the entire preamble, from the word "whereas" to the word "follows."

W. T. Forrest, J. R. Johnston,
D. Wagener, W. P. Howland.

Said amendments were agreed to, and the bill was ordered to be engrossed at the clerk's desk and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 26, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Parker, Richards, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—26.

So the bill passed.

Mr. Forrest moved to amend the title to read as follows:

To re-enact section 3 of an act defining the jurisdiction and regulating the practice of probate courts, passed March 14, 1853, as amended April 9, 1863, (S. & S., page 626.)

Which was agreed to.

The title, as amended, was agreed to.

Mr. Sherrick submitted the following report:

The standing committee on Finance, to whom was referred S. B. No. 49—To amend and revise the statutes relating to taxation, to be known as title 13, part 1, of the act to revise and consolidate the general statutes—

Having had the same under consideration, report it back and recommend its passage.

J. Sherrick, Irvine Dungan,
H. W. Curtiss, Thos. M. Beer,
J. M. Carson, John Seitz.

On demand of Mr. Seitz a call of the Senate was had.

Messrs. Beebe, Beer, Benson, Carlisle, Jackson of Perry, McDonald, Owens and Steedman were absent.

Mr. Johnston moved that further proceedings under the call be dispensed with.

Which was agreed to.

Mr. Seitz moved that the amendments, reported from the committee of the Whole, to S. B. No. 49, be taken up and acted on separately.

Which was agreed to.

Amendments Nos. 1, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18, 19, 21 and 22 were severally agreed to, as reported from said committee of the Whole.

Amendments Nos. 2, 11 and 20, as reported from said committee of the Whole were informally passed, when—

On motion of Mr. Johnston the further consideration of said bill and and amendments Nos. 2, 11 and 20 was postponed until to-morrow morning, and made the special order for 10½ o'clock.

Mr. Dungan submitted the following report:

The standing committee on Universities, Colleges, and Academies, to whom was referred the nominations for trustees of the Miami University—

Having had the same under consideration, report them back, and recommend the confirmation by the Senate of the said nominations.

IRVINE DUNGAN, WM. H. STOKES,
JOHN IRVINE, H. W. CURTISS,
GEO. W. WILSON.

Mr. Seitz moved that the Senate proceed to advise and consent to said apointments separately.

Which was agreed to.

The Senate then proceeded to advise and consent to said appointment of Lewis D. Campbell.

On which mot on the yeas and nays were taken and resulted—yeas 21, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Joy, McDonald, Parker, Richards, Saltzgaber, Seitz, Stokes, Tyler, Wagener, Williams and Wilson—21.

So the Senate advised and consented to said appointment of Lewis D. Campbell.

Mr. Forrest moved that the Senate advise and consent to said appointment of John W. Herron.

On which motion the yeas and nays were taken, and resulted—yeas 25, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, McDonald, Parker, Richards, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—25.

So the Senate advised and consented to said appointment of John W. Herron.

The Senate then proceeded to advise and consent to said appointment of John M. Millikin.

On which the yeas and nays were taken, and resulted—yeas 26, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, McDonald, Parker, Richards, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—26.

So the Senate advised and consented to the said appointment of John M. Millikin.

The Senate then proceeded to advise and consent to said appointment of Henry C. Lord.

On which the yeas and nays were taken, and resulted—yeas 26, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, McDonald, Parker, Richards, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—26.

So the Senate advised and consented to said appointment of Henry C. Lord.

The Senate then proceeded to advise and consent to said appointment of James W. Owens.

On which the yeas and nays were taken, and resulted—yeas 26, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, McDonald, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—26.

So the Senate advised and consented to said appointment of James W. Owens.

The Senate then proceeded to advise and consent to said appointment of James E. Neal.

On which the yeas and nays were taken, and resulted—yeas 27, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, McDonald, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—27.

So the Senate advised and consented to said appointment of James E. Neal.

The Senate then proceeded to advise and consent to said appointment of John H. Thomas.

On which the yeas and nays were taken, and resulted—yeas 27, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, McDonald, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—27.

So the Senate advised and consented to said appointment of John H. Thomas.

The Senate then proceeded to advise and consent to said appointment of I. Y. Schouler.

On which the yeas and nays were taken, and resulted—yeas 27, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, McDonald, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—27.

So the Senate advised and consented to said appointment of I. Y. Schouler.

The Senate then proceeded to advise and consent to said appointment of John B. Peaslee.

On which the yeas and nays were taken, and resulted—yeas 27, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, McDonald, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—27.

So the Senate advised and consented to said appointment of John B. Peaslee.

Mr. Irvine moved that the vote by which S. B. No. 50 was passed, be reconsidered.

Which was agreed to.

On motion of Mr. Joy, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk*.

WEDNESDAY, MARCH 6, 1878—10 O'CLOCK A. M.

The Senate met pursuant to adjournment.

Prayer by Rev. R. V. Griffith.

The Journal was read and approved.

Mr. Johnston presented the petition of M. C. Callahan and 66 other citizens of Mahoning county, protesting against any change in the school laws of the State, so far as the same relate to text books.

Which was referred to the committee on Common Schools and School Lands.

Mr. Wilson presented the remonstrance of John Dungan and 57 other citizens of Madison county, against the Perkins school book bill.

Which was referred to the committee on Common Schools and School Lands.

Mr. Sherrick presented the memorial of Thos. Stubbs and 60 other citizens of Stark county, asking for the passage of the following bills: S. Bs. Nos. 4, 6, 23, 24, and 70; and H. Bs. Nos. 15, 13 and 111.

Which was referred to the standing committee on Mines and Mining.

Mr. Owens presented the petition of F. M. Davidson and 29 other citizens of Licking county, asking that a tax be levied to keep in repair the national road, abandoned by the State and turned over to the counties.

Which was referred to the committee on Roads and Highways.

Mr. Owens presented the petition of Joseph Swartz and 75 other citizens of Licking county, asking that a tax be levied to keep up the national road, forced on the county by the State.

Which was referred to the committee on Roads and Highways.

Mr. Owens presented the petition of A. L. Simmons and 59 other citizens of Licking county, asking to have tax levied to keep in repair the national road, forced on the county by the State.

Which was referred to the committee on Roads and Highways.

Mr. Owens presented the petition of Wm. J. Cully and 65 other citizens of Licking county, asking that a tax be levied to keep the national road, abandoned by the State.

Which was referred to the committee on Roads and Highways.

Mr. Owens presented the petition of John Oldham and 49 other citizens of Licking county, asking for a tax to keep up the national road, forced on the county by the State.

Which was referred to the committee on Roads and Highwas.

Mr. Owens presented the petition of P. Tucker and 36 other citizens of Licking county, asking to have a tax levied to keep up the national road, forced on the county by the State.

Which was referred to the committee on Roads and Highways.

Mr. Fisher presented the remonstrance of J. P. Darling, D. E. Laughlin and 88 other citizens of Coshocton county, against the repeal or further modification of the Adair liquor law.

Which was referred to the committee on Sanitary Laws and Regulations.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to—

H. B. No. 108—Mr. Alexander—To authorize certain institutions to receive donations, devises and bequests.

Attest: L. A. Brunner, *Clerk.*

Bills were read the second time and referred as follows:

H. B. No. 137—Mr. Leggett—To amend section 441 of the code of civil procedure, passed March 11, 1853, (S. & C., 1079).

To committee on Judiciary.

H. B. No. 242—Mr. Hitchcock—To authorize the township trustees of the township of Bainbridge, county of Geauga, to levy a tax for purchasing a hearse and erecting a vault.

To committee on Finance.

H. B. No. 142—Mr. Ellis—To authorize the board of education of special school district No. 1, of Carroll and Erie townships, in the county of Ottawa, Ohio, to issue bonds to build a school house, and purchase of a site.

To committee on Common Schools and School Lands.

S. B. No. 107—Mr. Marsh—To repeal section 1, and section 3 of an act to protect more effectually the lives of railroad passengers from casualties by fire, passed May 4, 1869, (Sayler's Stat., v. 3, p. 1838).

To committee on Railroads, Telegraphs and Turnpikes.

H. B. No. 288—Mr. Bull—For the relief of Thornton P. Crowell.

To the committee on Finance.

S. B. No. 108—Mr. Lord—To authorize the board of education of South Bend school district, in Delhi township, Hamilton county, Ohio, to issue bonds to obtain money for building a school house.

To the committee on Common Schools and School Lands.

The Senate then proceeded to the consideration of the special order of the hour, viz:

S. B. No. 49—Mr. Sherrick—To ammend and revise the statutes relating to taxation, to be known as title 13, part 1, of the act to revise and consolidate the general statutes.

The pending question being on amendment No. 2, as reported from the committee of the Whole.

The yeas and nays were demanded, taken, and resulted—yeas 11, nays 19, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Curtiss, Fisher, Jackson of Clinton, Johnston, Joy, Owens, Sabine, Steedman and Stokes—11.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Carson, Dungan, Forrest, Grove, Howland, Irvine, Kelley, Lord, Marsh, McDonald, Richards, Seitz, Sherrick, Tyler, Wagener and Wilson—19.

So said amendment was disagreed to.

The question then being on agreeing to amendment No. 11, as reported from the committee of the Whole.

Mr. Johnston demanded a division of the question.

The question being on striking out the 8th clause as proposed by said amendment.

Which was disagreed to.

The question then being on agreeing to the remainder of said amendment No. 11.

Mr. Richards moved to amend said amendment as follows: Insert in the second paragraph of the 9th clause, between the words "and" and "eighth," the following "all the non-taxable bonds or securities under the 8th clause of said section 27."

Which was agreed to.

The question then recurring on agreeing to said amendment No. 11, as amended.

The same was agreed to.

The question then being on agreeing to amendment No. 20, as reported from the committee of the Whole.

The same was agreed to.

Mr. Johnston moved to reconsider the vote by which amendment No. 11 was adopted.

Which was agreed to.

The question recurring on agreeing to said amendment No. 11.

The same was disagreed to.

Mr. Sherrick moved that said bill (S. B. No. 49), be engrossed and read the third time now.

The bill was then read.

On motion of Mr. Johnston, the Senate took a recess.

THREE O'CLOCK P. M.

When the Senate took a recess it had under consideration S. B. No. 49, the question being on its passage.

Mr. Sherrick moved to refer said bill to a select committee of one, with instructions to amend as follows:

In chapter 4, section 5, strike out the first two lines of the section,

and insert "the Governor, the Auditor of State, Treasurer of State, Secretary of State, and Attorney-General, shall constitute a board for the equalization of."

Mr. Forrest moved to amend said proposed amendment by striking therefrom the words, "the Governor."

Which was agreed to.

The motion of Mr. Sherrick to refer with instructions as amended, was then agreed to, and Mr. Sherrick was appointed such committee.

Mr. Sherrick, on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No 49, with instructions to amend, reports the same back amended as instructed.

JOHNSON SHERRICK.

Mr. Sherrick moved to refer the bill to a select committee of one with instructions to amend as follows:

Strike out sec. 6, in chapter 4, and insert: "Sec. 6. Said board shall hear complaints and equalize the values of said shares by adding to the valuation of those shares that have been undervalued, and deducting from the valuation of those shares that have been overvalued.

Which was agreed to, and Mr. Sherrick was appointed such committee.

Mr. Sherrick, on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No. 49, with instructions to amend, reports the same back amended as instructed.

JOHNSON SHERRICK.

Mr. Johnston moved to reconsider the vote by which amendment No. 6, as reported from the committee of the whole, was adopted.

Which was agreed to.

Mr. Johnston moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out said amendment No. 6, and insert in lieu thereof the following: "and said moneys, credits, investments in bonds, stocks, joint stock companies, annuities or otherwise, shall be listed, as of the place of residence, of the person owning the same on the day preceding the second Monday of April, of that year."

Which was agreed to, and Mr. Johnston was appointed such committee.

Mr. Johnston, on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No. 49, with instructions to amend, reports the same back amended as instructed.

J. R. JOHNSTON.

Mr. Forrest moved to refer the bill to a select committee of one with instructions to amend as follows:

Strike out all of sec. 1, in chapter 4, after the word "inequality" in lines 23 and 24.

Which was disagreed to.

Mr. Sabine moved to refer the bill to a select committee of one, with instructions to amend as follows:

In chapter 7, sec. 17, line 6, after the word "thereto," the words "or because the descriptions of such land or lot on the duplicate shall have been insufficient."

In line 11, same section, after the word "thereon" insert the words, "at the rate of ten per centum per annum."

In line 12, same section, after the word "sale" insert the words "with interest at said rate."

Which was agreed to.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 34, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—34.

So the bill was passed. The title was agreed to.

Mr. Armstrong, on leave, introduced the following bill, which was read the first time:

S. B. No. 109—To authorize the Clough creek turnpike company to take possession of a county dirt road, and to extend its road from the east line of Hamilton county, to the Mt. Carmel and nine mile turnpike in Clermont county.

Mr. Carlisle moved that S. B. No. 94 be taken up and considered.

Which was agreed to.

The question being on agreeing to the amendments to said bill, reported by the committee on Soldiers' and Sailors' Orphans' Home and School for Imbecile Youths.

The same were agreed to, and the bill was ordered to be engrossed and read the third time, now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays 10, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, and Williams—24.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley, Richards, Sabine and Wilson—10.

So the bill was passed.

Mr. Johnston moved to amend the title by striking out the word "better" where it occurs in the title.

Which was disagreed to.

The title was then agreed to.

H. B. No. 13—Mr. Johnson—To change the surname of persons therein named.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 24, nays 8, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Kelley, McDonald, Owens, Richards, Sabine, Saltzgaber, Steedman, Stokes, Tyler, Wagener and Williams—24.

Those who voted in the negative were—

Messrs. Forrest, Johnston, Joy, Krimmel, Lord, Marsh, Seitz and Sherrick—8.

So the bill was passed. The title was agreed to.

S. B. No. 3—Mr. Lord—Further to amend the act entitled "An act to authorize free banking," passed March 21, 1851, (49 O. L., 41,) and the acts amendatory and supplementary thereto.

Was read the third time.

Mr. Sherrick moved to refer the bill to a select committee of one, with instructions to amend as follows:

In sec. 2, line 10, strike out all after the word "purpose" to the word "money," in the thirteenth line.

Which was agreed to, and Mr. Sherrick was appointed such committee.

Mr. Sherrick, on leave, submitted the following report:

The select committee of one to whom was referred S. B. No. 3, with instructions to amend, reports the same back amended as instructed.

JOHNSON SHERRICK.

Mr. Johnston moved to refer the bill to a select committee of one, with instructions to amend as follows:

At the end of sec. 3, add the following: "and each stockholder shall be liable, over and above the stock by him or her owned, and any amount unpaid thereon, to a further sum, at least equal in amount to such stock."

Which was agreed to, and Mr. Johnston was appointed such committee.

Mr. Johnston, on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No. 3, with instructions to amend, reports the same back amended as instructed.

J. R. JOHNSTON.

Mr. Howland moved that the further consideration of said bill be postponed until to-morrow.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 331—Mr. O'Connor—To create a special school district composed of territory in the townships of Jackson and German in the county of Montgomery.

H. B. No. 332—Mr. Eylar—To amend an act passed April 11, 1876, entitled "An act to amend an act supplementary to the several acts relating to the collection of delinquent taxes," passed April 6, 1874, and amended February 18, 1875.

H. B. No. 333—Mr. Edwards—To provide for an enrollment tax on local and special laws.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bill has been introduced in the House of Representatives and read the first time:

H. B. No. 334—Mr. Sturgeon—To authorize the sale of railroads in certain cases.

Attest: L. A. BRUNNER, *Clerk.*

H. B. No. 14—Mr. Haley—To amend section 28 of the code of civil procedure, passed March 30, 1874.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 28, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Richards, Sabine, Saltzgaber, Sherrick, Tyler, Wagener, Williams and Wilson—28.

So the bill was passed. The title was agreed to.

Sub. for S. B. No. 59 was then taken up.

Mr. Marsh moved to reconsider the vote by which the following amendment was adopted:

Sub. for S. B. No. 59—The vote by which the Senate agreed to the amendment inserting in section 1, line 14, between the word "dollars" and the word "the" the words "or imprisoned not more than thirty nor less than five days."

On which motion the yeas and nays were taken, and resulted—yeas 12, nays 18, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Dungan, Forrest, Grove, Joy, Krimmel, Lord, Marsh, Parker, Seitz, Steedman and Wagener—12.

Those who voted in the negative were—

Messrs. Beebe, Beer, Benson, Carson, Curtiss, Fisher, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Owens, Richards, Sabine, Sherrick, Tyler, Williams and Wilson—18.

So the motion to reconsider was disagreed to.

Mr. Tyler moved that the bill be laid upon the table.

Which was agreed to.

H. B. No. 37—Mr. Wright—To punish the offense of advertising for divorces.

Was read the third time.

Mr. Fisher moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out, in lines 3 and 4, the words "advertises, prints, publishes, distributes, or circulates."

Which was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 19, nays 12, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carson, Curtiss, Grove, Howland, Jackson of Clinton, Jackson of Perry, Joy, Marsh, McDonald, Owens, Richards, Saltzgaber, Seitz, Steedman, Tyler, Williams and Wilson—19.

Those who voted in the negative were—

Messrs. Beebe, Beer, Dungan, Fisher, Forrest, Irvine, Johnston, Kelley, Krimmel, Lord, Sabine and Sherrick—12.

So the bill was passed.

Mr. Forrest moved to amend the title as follows:

"To punish the offense of advertising for procurement of divorces."

Which was agreed to.

The title, as amended, was agreed to.

Mr. Jackson of Perry, on leave, introduced the following bill, which was read the first time:

S. B. No. 110—To amend section 16 of an act entitled "an act concerning divorce and alimony," passed March 11, 1853.

Mr. Forrest moved that the Senate proceed to the special order, viz.:

H. J. R. No. 4—Mr. Bohl—Praying for the repeal of the resumption law.

Which was agreed to.

On demand of Mr. Seitz, a call of the Senate was had.

Messrs. Carlisle, Parker and Stokes were absent.

Mr. Seitz moved that the Sergeant-at-Arms be dispathed for absentees.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 17, nays 13, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Joy, Krimmel, Marsh, McDonald, Richards, Saltzgaber, Seitz, Sherrick, Steedman and Tyler—17.

Those who voted in the negative were—

Messrs. Beebe, Beer, Benson, Curtiss, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Lord, Owens, Sabine, Wagener and Wilson—13.

So the motion was agreed to.

Messrs. Carlisle and Stokes having appeared within the bar of the Senate, and answered to the call—

Mr. Johnston moved that further proceedings under the call be dispensed with.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 32, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Tyler, Wagener, Williams and Wilson—32.

Mr. Forrest voted in the negative—1.

So the motion was agreed to.

Mr. Beer moved that the Senate adjourn.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 9, nays 24, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Howland, Jackson of Clinton, Johnston, Kelley, Richards, Sabine and Wilson—9.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Joy, Krimmel, Lord, McDonald, Owens, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—24.

So the motion was disagreed to.

Mr. Forrest demanded the previous question.

The question being "Shall the main question now be put?" the yeas and nays were demanded, taken, and resulted—yeas 23, nays 10, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Howland, Irvine, Jackson of Clinton, Joy, Krimmel, Marsh, McDonald, Owens, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler and Williams—23.

Those who voted in the negative were—

Messrs. Beebe, Beer, Grove, Jackson of Perry, Johnston, Kelley, Lord, Richards, Sabine and Wilson—10.

So the demand for the previous question was sustained.

The question being on the adoption of the joint resolution, the yeas and nays were taken, and resulted—yeas 24, nays 10, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—24.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley, Richards, Sabine and Wilson—10.

So said joint resolution was adopted.

Mr. Forrest moved to reconsider the vote by which S. B. No. 96 was lost.

Which was agreed to.

Mr. Forrest moved that said bill be laid upon the table.

Which was agreed to.

Mr. Wilson submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 52—Entitled "A bill to provide for a supply of water for fire and other purposes, in cities of the second class"—

Having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

Section 1, line 4, strike out "twelve" and insert "ten."

Same section, strike out all between the word "any," in line 7, and the word "for" in line 8, and insert the following words: "Person or persons, company or corporation."

At the end of section 2, add the following words, to-wit: "And before such contract for supply of water, as is herein provided for, shall be made, the council of such city shall advertise, for not less than thirty days, in some newspaper published and of general circulation in such city, specifying the time and place when and where bids will be received, for proposals to furnish water, as herein provided; and the contract shall be made with the lowest and best responsible bidder or bidders, unless the council, in their discretion, shall reject all bids therefor.

THEO. MARSH, G. M. SALTZGABER,
R. G. RICHARDS, LYMAN J. JACKSON,
G. W. WILSON, JAS. B. STEEDMAN.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Beer, on leave, introduced the following bill, which was read the first time:

S. B. No. 101—For the relief of John H. Depler.

Mr. Carson submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred H. B. No. 143—To authorize the board of education of the city of Portsmouth to borrow money to complete a school house now being erected in said city, and to issue bonds for the payment of the same—

Having had the same under consideration, report it back, and recommend its passage.

J. M. Carson, Thos. M. Beer,
H. C. Lord, G. A. Grove,
R. G. Richards.

Said bill was ordered to be engrossed and read the third time to-morrow.

On motion of Mr. Carlisle, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

Thursday, March 7, 1878—10 o'clock A. M.

The Senate met pursuant to adjournment.

Prayer by Rev. R. V. Griffith.

The Journal was read and approved.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled the following bills:

H. B. No. 151—To amend section six of the act entitled "An act to amend an act to exempt the homestead of families from forced sale on execution to pay debts," passed March 23, 1850; passed April 9, 1869, (66 O. L., 48).

H. B. No. 108—To authorize certain institutions to receive donations, devises and bequests.

H. B. No. 13—To change the surname of persons therein named.

H. B. No. 276—An act to re-enact section three of "An act defining and regulating the practice of Probate Courts," passed March 14, 1853, and amended April 9, 1863, (S. & S., p. 626).

H. B. No. 82—To authorize the trustees of the Mutual Protection Association of Patrons of Husbandry to move their office.

H. B. No. 117—To authorize the trustees of Troy township, Richland county, Ohio, to join with the council of the incorporated village of Lexington in the construction of a town hall for the joint use of said township and village.

Irvine Dungan, F. M. Carter,
C. R. Harmon, E. S. Perkins,
Duncan Dow, J. R. Johnston,
C. F. Krimmel, Wm. Jessup,
A. D. Marsh, R. G. Richards.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 82—Mr. Baker—To authorize the trustees of the Mutual Protective Association of Patrons of Husbandry to move their office.

H. B. No. 117—Mr. Bloom—To authorize the trustees of Troy township, Richland county, Ohio, to join with the council of the incorporated village of Lexington in the construction of a town hall for the joint use of said township and village.

H. B. No. 151—Mr. McCoy, of Wayne—To amend section six of the act entitled "An act to amend an act to exempt the homestead of families from forced sale on execution to pay debts," passed March 23, 1850, passed April 9, 1869, (66 O. L., 48).

H. B. No. 108—Mr. Alexander—To authorize certain institutions to receive donations, devises and bequests.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to—

H. B. No. 276—Mr. Crosson—To give proper effect to an act therein named.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bills:

S. B. No. 64—Mr. Howland—Supplementary to an act entitled "An act to provide for the appointment of guardians for imbeciles," passed April 27, 1872, (O. L., v. 69, p. 174).

S. B. No. 56—Mr. Sabine—To authorize the board of education of school district number one, Paris township, Union county, Ohio, to borrow money to pay indebtedness incurred in building a school house, and levy a tax for said purpose.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has refused to concur in Senate amendments to—

H. B. No. 14—Mr. Haley—To amend section twenty-eight of the code of civil procedure, passed March 30, 1874.

Attest: L. A. BRUNNER, *Clerk:*

On motion of Mr. Curtiss, the Senate insisted on its amendment to said bill.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 269—Mr. Harmon—Creating a special school district in Palmyra township, Portage county.

H. B. No. 166—Mr. Seifert—To divide Greenfield township, Fairfield county, into two election precincts.

H. B. No. 74—Mr. Fenton—To create a special school district in sub-district number four, in Dover township, Fulton county, Ohio.

H. B. No. 136—Mr. Groschner—To divide Pleasant township, Henry county, into two election precincts.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

Mr. Saltzgaber moved that the constitutional rule requiring bills to be read on three different days be suspended that H. B. No. 136 may be read the second and third times.

On which motion the yeas and nays were taken, and resulted—yeas 28 nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Lord, Marsh, McDonald, Owens, Parker, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—28.

So the motion was agreed to, and said bill (H. B. No. 136,) was then read the second time, and engrossed and read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 29, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—29.

So the bill passed. The title was agreed to.

Mr. Owens presented the petition of Homer C. Burch and 129 other citizens of Licking county, praying for the improvement and preservation of the Ohio Canals.

Which was referred to the committee on Public Works.

Mr. Stokes presented the remonstrance of Bechett, Laurie & Co., and 59 other citizens of the city of Hamilton, against all measures which may directly or indirectly authorize an increase of the debt of said city.

Which was referred to the committee on Municipal Corporations.

Mr. Stokes presented the remonstrance of Jacob Troutman and 47 other citizens of First Ward, city of Hamilton, against all measures which may directly or indirectly authorize an increase of the debt of said city.

Which was referred to the committee on Municipal Corporations.

Mr. Stokes presented the remonstrance of Lewis D. Campbell and 56 other citizens of the city of Hamilton, against all measures which may directly or indirectly authorize an increase of the debt of said city.

Which was referred to the committee on Municipal Corporations.

Mr. Owens presented the remonstrance of John W. Spicer and 34 other citizens of Licking county, against the passage of the Perkins school book bill.

Which was referred to the committee on Common Schools.

Mr. Williams presented the remonstrance of John W. Goodhart and 41 other citizens of Monroe county, against the passage of H. B. No. 17, by Mr. Perkins.

Which was referred to the committee on Common Schools and School Lands.

Mr. Beer presented the petition of 280 citizens of Perry township, Ashland county, praying for the relief of their township treasurer, John H. Depler.

Which was referred to the committee on Finance.

Mr. Owens presented the petition of J. H. Egolf and 28 other citizens of Licking county, praying for a tax to be levied to maintain the national road, abandoned to the counties by the State.

Which was referred to the committee on Roads and Highways.

Mr. Owens presented the remonstrance of John V. Goldsmith and 56 other citizens of Bowling Green township, Licking county, against the passage of the Perkins school book bill.

Which was referred to the committee on Common Schools.

Mr. Owens presented the petition of S. M. Minthorne and 55 other citizens of Licking county, praying for a law to enable them to sell a church lot.

Which was referred to the committee on Corporations other than Municipal.

Mr. Johnston presented a petition of the commissioners of Mahoning county.

Which was referred to the committee on Finance.

Bills were read the second time and referred as follows:

S. B. No. 109—Mr. Armstrong—To authorize the Clough creek turnpike company, to take possession of a county dirt road, and to extend its road from the east line of Hamilton county, to the Mt. Carmel and nine-mile turnpike, in Clermont county.

To committee on Roads and Highways.

S. B. No. 110—Mr. Jackson of Perry—To amend section 16 of an act entitled "An act concerning divorce and alimony," passed March 11, 1853.

To the committee on Judiciary.

S. B. No. 111—Mr. Beer—For relief of John H. Depler.

To committee on Finance.

Mr. Johnston, on leave, introduced the following bill, which was read the first time:

S. B. No. 112—To authorize the commissioners of Mahoning county to transfer funds therein named.

Mr. Grove, on leave, introduced the following bill, which was read the first time:

S. B. No. 113—To amend an act entitled "An act to restrain from running at large certain animals therein named," passed April 13, 1865, (S. & S., p. 877).

H. B. No. 52—Mr. Clough—To provide for a supply of water for fire and other purposes, in certain cities of the second class.

Was read the third time.

Mr. Richards moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out all of section 6.

Which was agreed to, and Mr. Richards was appointed such committee.

Mr. Richards, on leave, submitted the following report:

The select committee of one, to whom was referred H. B. No. 52, with instructions to amend, reports the same back amended as instructed.

R. G. Richards.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 7, nays 18, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Forrest, Grove, Lord, Steedman, Stokes and Wilson—7.

Those who voted in the negative were—

Messrs. Beebe, Benson, Carson, Curtiss, Dungan, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, McDonald, Owens, Parker, Richards, Sabine and Seitz—18.

So the bill, having failed to receive a constitutional majority, was lost.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 276—Mr. Crosson—To re-enact section 3 of an act defining the jurisdiction and regulating the practice of probate courts, passed March 14, 1853, and amended April 9, 1863, (S. & S., p. 626).

H. B. No. 13—Mr. Johnson—To change the surname of persons therein named.

H. B. No. 49—Mr. Ellis—To authorize the incorporated village of Port Clinton, Ohio, to transfer funds.

Attest: L. A. Brunner, *Clerk.*

The President, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to—

H. B. No. 37—Mr. Wright—To punish offences of advertising for procuring divorces.

Attest: L. A. Brunner, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives requests the appointment of a conference committee on Senate amendments to—
H. B. No. 14—Mr. Haley.

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Howland, the request of the House was acceded to, and the President appointed Messrs. Howland, Marsh and Dungan, as such committee of Conference.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill in which the concurrence of the Senate is requested:

H. B. No. 199—Mr. Jessup—To enable the commissioners of Hamilton county, Ohio, to make a fill from the west end of the bridge, across the Great Miami river, below the mouth of White Water river, to the Indianapolis, Cincinnati and Lafayette railroad station, at Elizabethtown, White Water township, Hamilton county, Ohio.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

Mr. Johnston submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 85—To regulate the payment of certain costs in criminal cases—

Having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

1. In line 2 of section 5, strike out the words "accused persons," and insert in lieu thereof the following, "any person charged with a felony."
2. Strike out all of section 6.
3. In line 1, of section 9, strike out the following "arising under the provisions of this or any other act."
4. In line 5, of same section, strike out the following "or may be allowed."
5. Renumber sections 7, 8, 9, 10, 11 and 12, so that they will read "sections 6, 7, 8, 9, 10 and 11.

J. R. JOHNSTON, W. P. HOWLAND,
W. T. FORREST, IRVINE DUNGAN,
LYMAN J. JACKSON, G. M. SALTZGABER.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Benson submitted the following report:

The standing committee on Drains and Drainage, to whom was referred S. J. R. No. 23—To provide for a Drainage Commission—

Having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

To strike out of line 19 the words "no compensation," and insert "a

compensation of three dollars per day for the time actually employed," and change the word "but," in the same line, to the word "and."

JOHN H. BENSON, JOHN C. MCDONALD,
THOS. S. JACKSON, JOHN IRVINE,
W. H. STOKES.

Said amendments were agreed to, and, on motion of Mr. Benson, the further consideration of said joint resolution was postponed until Wednesday next.

Mr. Curtiss submitted the following report:

The standing committee on Finance, to whom was referred S. B. No. 111—For the relief of John H. Depler—

Having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

Strike out in section 1, lines 14 and 15, the words "a majority," and insert "two-thirds."

Also, in section 2, line 3, strike out "a majority," and insert "two-thirds."

Section 2, line 8, after the word "said," insert the word "funds."

J. SHERRICK, J. M. CARSON,
IRVINE DUNGAN, H. C. LORD,
H. W. CURTISS, THOS. M. BEER.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Dungan submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 228—For the relief of William J. Berne, Charles Stanley, John B. Schroder, John M. Muller, assignees of Burritts & Phillips, and Dunn & Witt—

Having had the same under consideration report it back, and recommend its passage.

IRVINE DUNGAN, J. R. JOHNSTON,
LYMAN J. JACKSON, W. P. HOWLAND,
W. T. FORREST.

Said bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Curtiss submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 242—To authorize the trustees of any township in this State to levy a tax for purchasing a hearse and erecting a vault—

Having had the same under consideration, report it back, without recommendation.

J. SHERRICK, THOS. M. BEER,
H. W. CURTISS, JOHN SEITZ,
IRVINE DUNGAN, H. C. LORD,
J. M. CARSON.

Said bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Johnston submitted the following report:

The standing committee on Mines and Mining, to whom was referred

S. B. No. 4—To regulate the payment of indebtedness of mining companies and corporations to employes for work and labor—

Having had the same under consideration, report it back, without recommendation.

J. R. Johnston, W. H. Stokes.
Irvine Dungan, Lindsey Kelley.

Said bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 110—To amend section 16 of "An act concerning divorce and alimony," passed March 11, 1853—

Having had the same under consideration, report it back and recommend its passage.

W. T. Forest, Irvine Dungan,
Lyman J. Jackson, G. M. Saltzgaber,
W. P. Howland, J. R. Johnston.

Said bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Johnston submitted the following report:

The standing committee on Mines and Mining, to whom was referred S. B. No. 70—To punish certain offenses therein named—

Having had the same under consideration, report it back without recommendation.

J. R. Johnston, Lyman J. Jackson,
Irvine Dungan, Lindsey Kelley,
W. H. Stokes.

Said bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Sherrick submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 193—To authorize the trustees of Anderson township, Hamilton county, Ohio, to transfer money from the poor fund to road fund, and from township fund to road fund—

Having had the same under consideration, report it back, and recommend its passage.

J. Sherrick, Thos. M. Beer,
Irvine Dungan, H. W. Curtiss,
J. M. Carson, John Seitz,
H. C. Lord.

Said bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Richards submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 93—To release Wayne township, Belmont county, from the operations of an act passed March 14, 1831, and took effect June 1, 1831, (S. & C. Stat., p. 1577) providing for the election of three trustees and treasurer for Section 16, school lands—

Having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH, R. G. RICHARDS,
JAMES B. STEEDMAN, G. M. SALTZGABER,
GEO. W. WILSON, G. A. GROVE,
LYMAN J. JACKSON.

Said bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Seitz submitted the following report:

The standing committee on Reform School and Industrial School, to whom was referred S. B. No. 11—To establish the Girls' Industrial Home, and to repeal certain acts therein named—

Having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended:

1. Strike out all of line 4, in section 1, to the word "vicious"; after the word "vicious," insert the words "or criminal."

2. In line 5 strike out twe word "three," and insert "five."

3. In line 7 strike out the word "five," and insert, "one for one year, one for two years, one for three years, one for four years, and one for five."

4. In lines 8 and 9 strike out the following words: "One of whom shall be a resident of the county in which said home is located."

5. Strike out sections 4 and 5.

6. At the end of section 6 add the following: "And be removed from office."

7. In line 1, section 9, strike out the w ord "seven," and insert "nine."

8. In line 4, section 9, between the words "complaint" and 'that," insert the words "under oath."

9. In line 7, section 9, strike out all after the word "or," to the word "beggary," in line 9, inclusive, and insert the following: "That she is leading a vicious and criminal life."

10. In line 1, section 11, strike out "seven," and insert "nine." In section 11, line 2, after the word "any," strike out "justice of the peace, or police court, or," and in line 6 strike out after the word "said" the words "justice or," and in line 7, after the word "said," strike out the words "justice or."

11. In line 7, section 16, strike out the word "religious."

12. Number the sections properly after striking out sections 4 and 5.

G. A. GROVE, B. W. CARLISLE,
LYMAN J. JACKSON, JOHN SEITZ.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 162—To amend sec. 3 of the act of April 6, 1870, entitled "An act limiting the compensation of certain officers therein named," (vol. 67, p. 36, O. L.)—

Having had the same under consideration, report it back, with following amemdments, and recommend its passage when so amended:

Strike out of line 2, sec. 3, as amended after the word "shall," the

words "on or before February 1, in each year," and insert the words, "from time to time," in lieu thereof.

W. T. Forrest, D. Wagener,
Irvine Dungan, J. R. Johnston,
Lyman J. Jackson.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time on Wednesday next.

On motion of Mr. Seitz, the Senate took a recess.

THREE O'CLOCK, P. M.

H. B. No. 143—Mr. Hayman—To authorize the board of education of the city of Portsmouth to borrow money to complete a school house now being erected in said city, and to issue bonds for the payment of the same.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Lord, Marsh, McDonald, Owens, Richards, Saltzgaber, Steedman, Stokes, Williams and Wilson—23.

So the bill was passed. The title was agreed to.

Mr. Dungan moved to reconsider the vote whereby H. B. No. 228 was ordered to be read the third time on Wednesday next.

Which was agreed to.

On motion of Mr. Dungan, said H. B. No. 228 was then ordered to be engrossed and read the third time, and was then read:

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 27, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Richards, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Williams and Wilson—27.

So the bill was passed. The title was agreed to.

Mr. Johnston moved to take from the table S. B. No. 3.

Which was agreed to.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 22, nays 6, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Jackson of Perry, Johnston, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Saltzgaber, Steedman, Tyler, Williams, Wilson—22.

Those who voted in the negative were—

Messrs. Grove, Howland, Jackson of Clinton, Kelley, Seitz, Stokes—6.

So the bill was passed. The title was agreed to.

Mr. Steedman asked and obtained leave of absence for Mr. Carlisle, on account of sickness.

Mr. Saltzgaber, on leave, introduced the following bill, which was read the first time:

S. B. No. 114—Supplementary to an act defining the powers and duties of notaries public.

Mr. Forrest, on leave, introduced the following bill, which was read the first time:

S. B. No. 115—To revise and consolidate the laws relating to civil procedure in courts of common pleas and superior courts, and in district courts on appeal.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled the following bill:

H. B. No. 228—For the relief of William J. Berne, Charles Stanley, John B. Schroder, John M. Muller, assignees of Buente & Phillips, and Dunn & Witt.

IRVINE DUNGAN, C. F. KRIMMEL,
R. G. RICHARDS, F. M. CARTER,
A. D. MARSH, DUNCAN DOW,
C. R. HARMON.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

H. B. No. 228—Mr. Loder—For the relief of Wm. J. Berne, Charles Stanley, John B. Schroder, John M. Muller, assignees of Buente & Phillips, and Duncan & Witt.

Attest: L. A. BRUNNER, *Clerk.*

The President, *pro. tem.*, in presence of the Senate, signed said bill.

Mr. Wilson, on leave, introduced the following bill, which was read the first time:

S. B. No. 116—Supplementary to an act entitled "An act to regulate insurance companies doing an insurance business in the state of Ohio," passed April 27, 1872, (O. L., vol. 69, p. 140.)

Mr. Beer submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 288—For the relief of Thornton P. Crowell—

Having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended:

Strike out in sec. 1, line 16, and sec. 2, line 3, the words "a majority" and insert "two-thirds."

J. SHERRICK, J. M. CARSON,
JOHN SEITZ, H. W. CURTISS,
H. C. LORD, IRVINE DUNGAN.

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Richards submitted the following report:

The standing committee on Municipal Corporations, to whom was referred S. B. No. 95—To authorize the township trustees of Hudson township, Summit county, O., to raise money and to build a town hall—

Having had the same under consideration, report it back with following amendment, and recommend its passage when so amended:

Strike out from line 3, sec. 1, the following words, "two weeks' notice

published in the Hudson Enterprise," and insert in their stead the following, "written notices shall be posted up for ten days in three conspicuous places in said township."

R. G. RICHARDS, G. A. GROVE,
G. W. WILSON, G. M. SALTZGABER.

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Johnston submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 207—To amend section 9, of chapter 3, of an act entitled "An act to amend, revise, and consolidate the statutes relating to criminal procedure," passed May 5, 1877, (vol. 74, O. L., p. 331.)—

Having had the same under consideration, report it back, with the accompanying substitute and recommend the adoption and passage thereof—

Sub. for H. B. No. 207—Mr. Foster—To amend sections 8 and 9, of chapter 3, title 2, code of criminal procedure, (O. L., vol. 74, pp. 330 and 331).

SEC. 1. *Be it enacted by the General Assembly of the State of Ohio*, That said section 8 be so amended as to read as follows:

Sec. 8. The court of common pleas, or district court may, whenever it is of the opinion that the public interest requires it, appoint an attorney to assist the prosecuting attorney in the trial of any case, pending in such court; and the county commissioners shall pay such assistant such compensation for his services as the court approves and to them seems just and proper.

SEC. 2. That said section 9 be so amended as to read as follows:

Sec. 9. In counties containing a population greater than one hundred thousand, the judge of the court of common pleas, may appoint an assistant prosecuting attorney, at a yearly salary not exceeding fifteen hundred dollars, to be fixed by the judges making such appointment; and said judge of the court of common pleas may, from time to time, appoint such special assistants to aid the prosecuting attorney, as in their opinion the public business may require, which special assistant shall be paid out of the treasury of the county treasury on the warrant of the county auditor, such sum as the court may approve and order.

SEC. 3. That said sections 8 and 9 be and they are hereby repealed, and this act shall take effect and be in force from and after its passage.

J. R. JOHNSTON, W. T. FORREST,
IRVINE DUNGAN, G. M. SALTZGABER,
W. P. HOWLAND, LYMAN J. JACKSON.

Said substitute was agreed to, and the bill was ordered to be engrossed at the clerk's desk, and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 22, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Lord, McDonald, Owens, Richards, Saltzgaber, Seitz, Steedman, Stokes, Tyler and Wilson—22.

So the bill was passed. The title was agreed to.

Mr. Saltzgaber submitted the following report:

The standing committee on Judiciary, to whom was referred S. J. R. No. 26—For *sine die* adjournment—

Having had the same under consideration, report it back and recommend its passage.

G. M. SALTZGABER, W. T. FORREST,
IRVINE DUNGAN, J. R. JOHNSTON.

Mr. Tyler moved that the report and joint resolution be laid on the table.

On which motion, the yeas and nays were demanded, taken, and resulted—yeas 7, nays 17, as follows:

Those who voted in the affirmative were—

Messrs. Carson, Grove, Jackson of Perry, Joy, Owens, Seitz and Tyler–7.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Beer, Benson, Curtiss, Dungan, Fisher, Forrest, Howland, Irvine, Jackson of Clinton, Johnston, Lord, McDonald, Richards, Saltzgaber and Wilson—17.

So the motion was disagreed to.

Mr. Joy moved that said joint resolution be indefinitely postponed.

Mr. Fisher moved to amend said joint resolution as follows:

Strike out "Friday, April 5th," and insert "Monday, April 8th," and strike out the words "*sine die*," and add "to convene on the first Monday of January, 1879, at 10 o'clock a. m."

Mr. Krimmel moved that said joint resolution and pending amendment be referred to the committee on Finance.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 12, nays 15, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carson, Irvine, Jackson of Perry, Krimmel, Lord, Marsh, McDonald, Owens, Tyler and Williams—12.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Johnston, Richards, Saltzgaber, Seitz, Stokes and Wilson—15.

So the motion to refer was disagreed to.

The question recurring on the motion to amend, the yeas and nays were taken, and resulted—yeas 10, nays 16, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carson, Dungan, Fisher, Irvine, Marsh, Owens, Stokes and Tyler—10.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Krimmel, Lord, McDonald, Richards, Saltzgaber, Seitz, Williams and Wilson—16.

So the amendment was disagreed to.

The question then recurring on the motion to indefinitely postpone, the yeas and nays were demanded, taken, and resulted—yeas 14, nays 12, as follows:

Those who voted in the affirmative were—

Messrs. Benson, Grove, Irvine, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Seitz, Stokes, Tyler and Williams—14.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Dungan, Fisher, Forrest, Howland, Jackson of Clinton, Johnston, Richards, Saltzgaber and Wilson—12.

So the motion was agreed to.

Mr. Curtiss moved that the vote whereby H. B. No. 52 was lost, be reconsidered.

Which was disagreed to.

Mr. Saltzgaber offered the following joint resolution:

S. J. R. No. 32—*Be it resolved by the General Assembly of the State of Ohio*, That a joint committee of three on the part of the Senate, and——— on the part of the House, be appointed to consider and report when and to what time the present session of the General Assembly shall adjourn.

The question being, on the adoption of the joint resolution, the yeas and nays were taken, and resulted—yeas 14, nays 8, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Curtiss, Dungan, Fisher, Forrest, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Richards, Saltzgaber, and Wilson—14.

Those who voted in the negative were—

Messrs. Benson, Grove, Irvine, Joy, Krimmel, Lord, Marsh McDonald–8.

So the joint resolution, having failed to receive a constitutional majority, was disagreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 335—Mr. Dodds—To amend sections 11 and 12 of an act entitled "An act supplementary and amendatory of an act entitled an act to amend sections 2, 4 and 24 of an act to preserve the purity of elections, passed May 7, 1877, (O. L., vol. 74, p. 211.)

H. B. No. 336—Mr. Wales—To authorize the trustees of Salem township, Warren county, Ohio, to transfer certain funds therein named to the township fund of said township.

H. B. No. 337—Mr. Booth—To appropriate money to repair the public works, and render them fit for navigation.

H. B. No. 338—Mr. Foster—To authorize the Berea agricultural society to open streets through to a lot, and sell or exchange certain lands.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 339—Mr. Johnson—To authorize the trustees of Mill township, Tuscarawas county, to levy a tax on the taxable property of said township to assist the P. C. & St. L. Railroad Company to build car shops and foundry in the town of Denison, in said county.

H. B. No. 340—Mr. Levering—Relating to incorporated villages, having a population of 10,087, and no more, by the federal census of 1870.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has appointed Messrs. Meuser, Haley and Townsend as a conference committee on the part of the House to consider Senate amendments to—

H. B. No. 14—Mr. Haley—To amend section 28 of the code of civil procedure, passed March 20, 1874.

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Seitz, the Senate adjourned until eight o'clock tomorrow morning.

Attest: ALLEN O. MYERS, *Clerk.*

FRIDAY, MARCH 8, 1878—8 o'clock A. M.

The Senate met pursuant to adjournment.

The Journal was read and approved.

Mr. Curtiss moved that the Senate adjourn.

Which was agreed to.

The President announced that, in pursuance of S. R. No. 21, the Senate would stand adjourned until Tuesday next, at three o'clock p. m.

Attest: ALLEN O. MYERS, *Clerk.*

TUESDAY, MARCH 12, 1878—3 o'clock P. M.

The Senate met pursuant to adjournment.

Prayer by Rev. J. F. Hamilton.

The Journal was read and approved.

Mr. Owens, presented the petition of Frank Bennett and 131 other citizens of Licking and adjoining counties, praying for the protection of fish.

Which was referred to the committee on Fish Culture and Game.

Mr. Seitz presented the petition of W. T. Eastman and 152 other citizens of Seneca county, praying for the repeal of an act creating a sub-school district named "Rockaway," in said county.

Which was referred to committee on Common Schools and School Lands.

Mr. Owens presented the petition of J. O. Davis and 65 other citizens of Licking and adjoining counties, praying for protection of fish.

Which was referred to the committee on Fish Culture and Game.

Mr. Steedman presented the petition of Oliver S. Bond, and other citizens of Lucas county, praying for the passage of a bill asking authority for commissioners of said county to issue bonds for $100,000, for money to defray the necessary expenses of the county.

Which was referred to the committee on Finance.

Mr. Forrest presented the petition of J. R. P. Brown and 25 other citizens of Hamilton county, asking for an amendment of section 92 of an act entitled an act for the reorganization and maintenance of common schools.

Which was referred to committee on Common Schools and School Lands.

Mr. Owens presented the petition of Samuel A. Parr and 171 other citizens of Licking and adjoining counties, praying for the protection of fish.

Which was referred to the committee on Fish Culture and Game.

Mr. Seitz presented the memorial of R. Eaton and 575 other citizens of Crawford county, asking for the abolition of the office of "infirmary director," in all counties with less than 40,000 population, and the transfer of their duties to county commissioners.

Which was referred to the committee on Finance.

Mr. Seitz presented the remonstrance of I. W. Shiffler, Celia Moody, and 337 other citizens of Wyandot county, remonstrating against a repeal or modification of the Adair liquor law, so as to impair its efficiency.

Which was referred to the committee on Sanitary Laws and Regulations.

Mr. Benson presented the petition of Thomas Anderson and 125 other citizens of Knox county, praying that no amendments be made looking to the repeal of the present laws regulating the traffic in or use of intoxicating drinks.

Which was referred to the committee on Sanitary Laws and Regulations.

Bills were read the second time and referred as follows:

H. B. No. 269—Mr. Harmon—Creating a special school district in Palmyra township, Portage county.

To committee on Common Schools and School Lands.

H. B. No. 166—Mr. Seifert—To divide Greenfield township, Fairfield county, into two election precincts.

To committee on Privileges and Elections.

H. B. No. 74—Mr. Fenton—To create a special school district in subdistrict number 4, in Dover township, Fulton county, Ohio.

To committee on Common Schools and School Lands.

S. B. No. 112—Mr. Johnston—To authorize the commissioners of Mahoning county to transfer funds therein named.

To committee on Corporations other than Municipal.

S. B. No. 113—Mr. Grove—To amend an act entitled an act to restrain from running at large certain animals therein named, passed April 13, 1865, (Swan & Sayler, page 877).

To committee on Agriculture.

H. B. No. 199—Mr. Jessup—To enable the commissioners of Hamilton county to make a fill from the west end of the bridge across the Great Miami river, below the mouth of Whitewater river, to the Indianapolis, Cincinnati & Lafayette railroad station, at Elizabethtown, Whitewater township, Hamilton county, Ohio.

To select committee of four—the Senators from Hamilton County.

S. B. No. 114—Mr. Saltzgaber—Supplementary to an act, and defining the powers and duties of notaries public.

To committee on Judiciary.

S. B. No. 115—Mr. Forrest—To revise and consolidate the laws relating to civil procedure in courts of common pleas and superior courts, and in district courts on appeal.

To committee of the whole, and made a special order for Friday next, at 3:30 p. m.

S. B. No. 116—Mr. Wilson—Supplementary to an act entitled an act

to regulate insurance companies doing an insurance business in the State of Ohio, passed April 27, 1872.

To committee on Insurance.

Mr. Steedman, on leave, introduced the following bill, which was read the first time:

S. B. No. 117—To authorize the commissioners of Lucas county to borrow an amount of money, upon the bonds of said county, not exceeding the sum of $100,000.

Mr. Steedman, on leave, introduced the following bill which was read the first time:

S. B. No. 118—To amend sections Nos. 189, 335, 336, 341, 640, 648 and 661 of the municipal code, passed May 7, 1869, (66 O. L., page 245).

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill in which the concurrence of the Senate is requested:

H. B. No. 205—Mr. Hayman—To establish a uniform standard of weights and measures.

Attest: L. A. Brunner, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

Amended H. B. No. 6—Mr. Poe—Limiting the compensation of certain officers therein named.

Attest: L. A. Brunner, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 341—Mr. Oglevee—To amend section seven of an act entitled an act to incorporate savings societies, passed and took effect April 16, 1867, (O. L., vol. 64, page 184).

H. B. No. 342—Mr. Sextro—To provide against the evils resulting from the sale of intoxicating liquors, when drank upon the premises where sold, and to repeal certain acts therein named.

H. B. No. 343—Mr. Sextro—To repeal an act entitled an act to exempt the homesteads of families from forced sale, on execution, to pay debts, passed March 23, 1850, passed April 9, 1869, (O. L., vol. 66, page 49,) as amended and passed February 27, 1853, (O. L., vol 70, page 51).

Attest: L. A. Brunner, *Clerk.*

Mr. Krimmel, on leave, introduced the following bill, which was read the first time:

S. B. No. 119—To amend section 1 of an act entitled "an act to provide for taking the numeration of the male inhabitants of the State above the age of 21 years," passed and took effect April 7, 1863, (O. L., vol. 60, page 65).

Mr. Forrest moved to reconsider the vote by which S. B. 115 was made a special order for Friday next.

Which was agreed to.

On motion of Mr. Forrest, the Senate went in to committee of the whole, in consideration of S. B. No. 115, and, after some time, arose, reported progress, and asked leave to sit again.

Which was granted.

On motion of Mr. Krimmel, the said bill was made a special order, in committee of the whole, for Friday next, at 3:30 o'clock p. m.

On motion of Mr. Krimmel, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

WEDNESDAY, MARCH 13, 1878—10 O'CLOCK A. M.

The Senate met pursuant to adjournment.

Prayer by Rev. J. F. Hamilton.

The journal was read and approved.

Mr. Stokes presented the remonstrance of J. E. Owens and 55 other citizens of the city of Hamilton, against the passage of the bill pending in the House of Representatives, authorizing the city council to issue bonds to the amount of $150,000, for the construction of water works.

Which was referred to the committee on Municipal Corporations.

Mr. Seitz presented the petition of the board of education and 119 other citizens of Clinton township, Seneca county, praying for the repeal of the act creating the sub-school district, called Rockaway.

Which was referred to the committee on Schools and School Lands.

Mr. Seitz presented the petition of the board of education and 205 other citizens of Eden township, Seneca county, praying for the repeal of the act creating Rockaway sub-school district.

Which was referred to the committee on Common Schools and School Lands.

Mr. Seitz presented the remonstrance of John W. Mackey and 245 other citizens of Wyandot county, remonstrating against any modification impairing the efficiency of the Adair liquor law.

Which was referred to the committee on Sanitary Laws and Regulations.

Bills were read the second time and referred as follows:

S. B. No. 117—Mr. Steedman—To authorize the commissioners of Lucas county to borrow an amount of money upon the bonds of said county, not exceeding $100,000.

To committee on Finance.

S. B. No. 118—Mr. Steedman—To amend sections numbers 189, 335, 336, 341, 640, 648 and 661 of the municipal code, passed May 7, 1869, (66 O. L, p. 145, etc.)

To committee on Municipal Corporations.

H. B. No. 205—Mr. Hayman—To establish a uniform standard of weights and measures.

To the committee on Agriculture.

H. B. No. 6—Mr. Poe—Limiting the compensation of certain officers therein named.

To select committee of one—Mr. Curtiss.

S. B. No. 119—Mr. Krimmel—To amend section 1 of an act entitled "An act to provide for taking the enumeration of the male inhabitants of the State above the age of 21 years," passed and took effect April 7, 1863, (O. L., v. 60, p. 65).

To committee on Public Expenditures.

H. B. No. 85—Mr. Washburn—To regulate the payment of certain costs in criminal cases.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 26, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Marsh, McDonald, Richards, Sabine, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—26.

So the bill was passed. The title was agreed to.

S. B. No. 111—Mr. Beer—For the relief of John H. Depler.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 25, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Kelley, Krimmel, Marsh, McDonald, Richards, Sabine, Seitz, Steedman, Stokes, Tyler and Wilson—25.

Mr. Owens voted in the negative—1.

So the bill was passed. The title was agreed to.

H. B. No. 242—Mr. Hitchcock—To authorize the township trustees of the township of Bainbridge, county of Geauga, to levy a tax for purchasing a hearse and erecting a vault.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 18, nays 6, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Curtiss, Jackson of Clinton, Jackson of Perry, Kelley, Marsh, Owens, Parker, Sabine, Seitz, Steedman, Tyler, Wagener, Williams and Wilson—18.

Those who voted in the negative were—

Messrs. Carson, Dungan, Fisher, Howland, Irvine and Krimmel—6.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 344—Mr. Sextro—To amend an act entitled "An act to

amend an act fixing the rate of interest, passed May 4, 1869, (O. L., v. 66, p. 91).

H. B. No. 345—Mr. Sextro—To amend an act entitled "An act supplementary to an act making certain instruments of writing negotiable," passed February 25, 1820, passed March 26, 1861, (S. & S., 490).

H. B. No. 346—Mr. Foster—To provide for further security in all cases wherein justices of the peace are required to take undertakings in civil actions.

Attest: L. A. BRUNNER, *Clerk.*

S. B. No. 4—Mr. Jackson of Perry—To regulate the payment of indebtedness of mining companies and corporations to employes for work and labor.

Was read the third time.

Mr. Jackson of Perry moved to refer the bill to a select committee of one, with instructions to amend by substituting the following for said bill:

An act supplementary to an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio," passed May 5, 1877, (v. 74, page 240).

SECTION 1. *Be it enacted, by the General Assembly of the State of Ohio.* That it shall be unlawful for any person, firm, company or corporation to issue or use any scrip, token, check, draft or certificate of indebtedness, payable otherwise than in money, in the payment of or accounting to any person for the wages of work and labor.

SEC. 2. It shall be unlawful for any person, firm, company or corporation to issue, use or circulate or cause to be issued, used or circulated, any check, token, promise in writing or evidence of indebtedness designed, intended or calculated to be circulated or issued as money or in lieu of money, other than lawful money of the United States.

SEC. 3. Any person or persons offending against any of the provisions of this act, shall be held guilty of a misdemeanor, and upon conviction thereof before any court of competent jurisdiction, shall be fined in any sum not less than ten dollars nor more than one hundred dollars.

SEC. 4. This act shall take effect and be in force from and after its passage.

Mr. Kelley moved that the further consideration of said bill and peneing amendments be postponed until Friday next.

Which was disagreed to.

The question recurring on the motion to refer to a select committee.

The same was agreed to, and Mr. Jackson of Perry was appointed such committee.

Mr. Jackson of Perry, on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No. 4, with instructions to amend, reports the same back amended as instructed.

L. J. JACKSON.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 27, nays 5, as follows:

Those who voted in the affirmative were—

Messrs. Beer. Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Perry, Joy, Kelley, Marsh, Mc-

Donald, Owens, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Williams and Wilson—27.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Jackson of Clinton, Parker and Wagener—5.

So the bill was passed. The title was agreed to.

S. B. No. 70—Mr. Dungan—To punish certain offenses therein named.

Was read the third time.

Mr. Kelley moved to refer the bill to a select committee of one, with instructions to amend as follows:

Insert at the end of section 1, in line seven, after the word "added," the following: "Provided further, that this act shall not extend to, or embrace existing contracts by the terms of which, payment is to be made in whole or in part trade, at prices mutually agreed on, nor to such contracts that may hereafter be made, nor shall it be construed to interfere with the rights of any employe to make such contract."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 9, nays 18, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Clinton, Kelley, Sabine, Wagener and Wilson—9.

Those who voted in the negative were—

Messrs. Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Irvine, Jackson of Perry, Joy, Marsh, McDonald, Owens, Parker, Saltzgaber, Sherrick, Steedman, Tyler and Williams—18.

So the motion was disagreed to.

Mr. Dungan moved to refer the bill to a select committee of one, with instructions to amend as follows:

To insert—

Sec. 2. It shall be unlawful for any person, firm or corporation to sell goods or supplies to laborers on orders or other evidences of indebtedness issued to such laborers by their employers, or to sell to laborers by any arrangement with their employers by which such laborers are to receive such goods or supplies on their wages at higher prices than current cash rates for like goods and supplies at the nearest retail market; provided, that the actual cost of the transportation of such goods and supplies from such nearest market to the place of sale may be added.

Also, change section two to section three, and section three to section four.

Which was agreed to, and Mr. Dungan was appointed such committee.

Mr. Dungan, on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No. 70, with instructions to amend, reports the same back amended as instructed.

IRVINE DUNGAN.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 22, nays 8, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Krimmel, McDonald, Owens, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler and Williams—22.

Those who voted in the negative were—

Messrs. Armstrong, Beer, Grove, Kelley, Parker, Sabine, Wagener and Wilson—8.

So the bill passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of—

Senate Sub. for H. B. No. 207—Mr. Foster—To amend sections eight and nine of chapter three, title two, code of criminal procedure, (O. L., vol. 74, pp. 330 and 331).

Attest: L. A. BRUNNER, *Clerk.*

S. B. No. 110—Mr. Jackson, of Perry—To amend section sixteen of an act entitled "An act concerning divorce and alimony," passed March 11, 1853.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 27, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Krimmel, Marsh, McDonald, Owens, Parker, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—27.

So the bill passed. The title was agreed to.

H. B. No. 162—Mr. Klimper—To amend section three of the act of April 6, 1870, entitled "An act limiting the compensation of certain officers therein named," (Vol. 67, p. 36, O. L.)

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 31, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—31.

So the bill was passed. The title was agreed to.

On motion of Mr. Owens, the Senate took a recess.

THREE O'CLOCK P. M.

S. B. No. 11—Mr. Benson—To establish the girls' industrial home, and to repeal certain acts therein named.

Was read the third time.

Mr. Benson moved to refer the bill to a select committee of one, with instructions to amend as follows:

Insert the following sections and renumber succeeding sections.

SEC. 4. The Governor shall appoint a committee of visitors for said girls' industrial home, which shall consist of three women, one of whom shall be a resident of the county in which such home is located, whose term of service shall be for three years and until their successors are appointed.

The said committee shall receive no compensation for their services, but shall be paid their necessary expenses by the State Treasurer on the order of the Auditor.

Any vacancy in said committee, by resignation or otherwise, shall be filled by appointment by the Governor.

SEC. 5. Before entering upon the discharge of their duties, the said committee shall organize by electing a president and secretary, who shall be of their number.

The said committee shall visit the home as often as once in every three months; shall there make a thorough examination as to the general welfare and condition of the girls and the workings of the institution, and at their earliest convenience they shall make a written report of the results of their visits, with such recommendations as they may deem advisable; said report shall be under seal and addressed to the president of the Board of Trustees. Said Board of Trustees shall cause said report of the committee of visitors to be spread in full upon their minutes at their next regular meeting.

Which was agreed to, and Mr. Benson was appointed such committee.

Mr. Benson, on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No. 11, with instructions to amend, reports the same back amended as instructed.

J. H. BENSON.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 22, nays 9, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carson, Dungan, Fisher, Forrest, Grove, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams –22.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Clinton, Kelley, Richards, Sabine and Wilson—9.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 347—Mr. Clough—To provide for a supply of water for fire and other purposes, in certain cities of the second class.

H. B. No. 348—Mr. Norton—To provide for the equalization of the valuation of bank shares for taxation, and to repeal an act therein named.

H. B. No. 349—Mr. McCoy, of Lawrence—To authorize certain cities of the second class to levy additional taxes.

H. B. No. 350—Mr. Bull—To prohibit the purchase of goods and merchandise from any firms, persons or individual who is in any way connected, officially, with the State government, or who may have the power of appointing the directors in any penal, reformatory or benevolent institutions of the State.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution in which the concurrence of the Senate is requested:

H. J. R. No. 34—Mr. Douglass—Providing for the printing of the report of the fish commissioners.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Seitz moved that said joint resolution be referred to the committee on Public Expenditures.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 351—Mr. Klimper—To amend section four of an act entitled "An act to create a Board of Public Works in certain cities having a population of one hundred and fifty thousand and upwards at the last Federal census," passed March 17, 1876.

H. B. No. 352—Mr. Van Cleaf—To authorize the Board of Public Works to enlarge the culvert under the Ohio canal in Circleville township, Pickaway county.

H. B. No. 353—Mr. Estill—To create a special joint sub-school district in Monroe and Hardy townships, Holmes county.

H. B. No. 354—Mr. Dodds—To create a special school district in Sycamore township, Hamilton county, Ohio.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 355—Mr. Clough—To authorize the auditor of Butler county to pay a claim named therein.

H. B. No. 356—Mr. Worley—To provide for the issuing and payment of bonds by the commissioners of Stark county, to meet a deficiency in the levy for county funds in said county.

H. B. No. 357—Mr. Foster—To amend an act entitled "An act to provide for the investment of funds detained in the hands of executors, agents, attorneys or officers, by reason of pending litigation.

H. B. No. 358—Mr. Hardy, of Defiance—To authorize the commissioners of Defiance county, Ohio, to complete a bridge therein named.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of Senate amendments to—

H. B. No. 85—Mr. Washburn—To regulate the payment of certain costs in criminal cases.

Attest: L. A. BRUNNER, *Clerk.*

H. B. No. 93—Mr. Danford—Releasing Wayne township, Belmont county, from the operations of an act passed March 14, 1831, and took effect June 1, 1831, (S. & C.'s statutes, p. 1577), proving for the election of three trustees, and treasurer, for Section No. 16, school lands.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 32, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—32.

So the bill was passed. The title was agreed to.

H. B. No. 193—Mr. Sullivan of Hamilton—To authorize the trustees of Anderson township, Hamilton county, Ohio, to transfer money from the poor fund to road fund, and from township fund to road fund.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 29, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—29.

So the bill was passed. The title was agreed to.

H. B. No. 288—Mr. Bull—For the relief of Thornton P. Crowell.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 27, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Joy, Kelley, Lord, Marsh, McDonald, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—27.

Mr. Owens voted in the negative—1.

So the bill was passed. The title was agreed to.

S. B. No. 95—Mr. Richards—To authorize the township trustees of Hudson township, Summit county, Ohio, to raise money and to build a town hall.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 27, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Perry, Joy, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—27.

Messrs. Carson and Seitz voted in the negative—2.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives, and read the first time:

H. B. No. 359—Mr. Worley—Supplementary to an act entitled "An act to amend section 2 of an act entitled an act defining the powers and duties of justices of the peace, and constables in criminal cases, as amended February 13, 1866," passed March 29, 1867.

H. B. No. 360—Mr. Dempcy—Supplementary to an act entitled "An act to authorize the trustees of Brecksville township, Cuyahoga county, to levy a tax for certain purposes mentioned therein," passed May 5, 1877.

H. B. No. 361—Mr. Hume—To provide for locating, establishing and constructing ditches, drains and water courses.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 362—Mr. Booth—To amend section 1 of an act entitled "An act for the better security of head contractors and material men, and to repeal certain acts therein named," passed May 4, 1877, (74 O. L., 168.)

H. B. No. 363—Mr. Morrey—To authorize the trustees of Windsor township, Morgan county, to levy a tax to pay indebtedness.

Attest: L. A. BRUNNER, *Clerk.*

The President laid before the Senate a communication from the board of public works, in answer to certain inquiries make in S. J. R. No. 20.

Mr. Marsh moved that the communication be laid upon the table in order to be printed.

Which was agreed to.

The Senate proceeded to the special order, viz:

S. J. R. No. 23—Mr. Saltzgaber—To provide for a drainage commission.

Mr. Jackson of Perry, moved that said joint resolution be laid upon the table.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 20, nays 14, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Fisher, Forrest, Howland, Jackson of Perry, Joy, Kelley, Krimmel, Owens, Richards, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—20.

Those who voted in the negative were—

Messrs. Benson, Carlisle, Carson, Curtiss, Dungan, Grove, Irvine, Jackson of Clinton, Lord, Marsh, McDonald, Parker, Sabine and Saltzgaber—14.

So the motion was agreed to.

Mr. Tyler, on leave, introduced the following bill, which was read the first time:

S. B. No. 120—For the relief of W. J. Jacobs and his sureties.

Mr. Sherrick, on leave, introduced the following bills, which were read the first time:

S. B. No. 121—To provide for the furnishing of books and stationery for certain county officers, and to repeal certain acts therein named.

S. B. No. 122—To provide offices for county surveyors, and to repeal a certain act therein named.

S. B. No. 123—To provide offices for the probate judges of the several counties, and to repeal an act therein named.

Mr. Tyler, on leave, introduced the following bill which was read the first time:

S. B. No. 124—To authorize the commissioners of Brown county, O., to construct a free turnpike road from the terminus of the Ripley and Hillsborough free turnpike road to the Highland county line.

Mr. Tyler presented the petition of S. E. Carey and 418 other citizens of Brown county, praying for the passage of an act to construct a free turnpike road in Jackson and Eagle townships, Brown county.

Which was referred to committee on Railroads, Telegraphs and Turnpikes.

Mr. Parker, on leave, introduced the following bill, which was read the first time:

S. B. No. 125—To authorize the council of the incorporated village of Norwalk to levy an additional tax for the general purpose fund of said village.

Mr. Benson, on leave offered the following joint resolution:

S. J. R. No. 33—WHEREAS, The Codifying Commission now in session has been engaged for three years upon the task of codifying the laws of Ohio, and

WHEREAS, This time has been considered and is considered ample for the completion of their labors, and

WHEREAS, If some limit is not fixed by which time they shall complete their labors, they may be in session for years to come, therefore,

Be it resolved by the General Assembly of the State of Ohio, That said commission is hereby compelled and required to complete its labors by the 1st day of January, 1879, and

Resolved, That no money shall be paid any member or clerk of said commission for any labor performed after that date.

Mr. Richards gave notice of his intention to discuss said joint resolution, so it laid over under the rule.

Mr. Lord presented the memorial of the board of trustees of the Cincinnati Southern Railway, asking the passage of a law allowing the issuing of $2,000,000 additional bonds for the completion of said railway.

Which was referred to the committee on Finance.

Mr. Lord, on leave, introduced the following bills, which were read the first time:

S. B. No. 126—Supplementary to the act relating to cities of the first class having a population exceeding 150,000 inhabitants, passed May 4, 1869.

S. B. No. 127—To provide for the administration of property given for the promotion of science, art and like purposes, and to protect the same from waste.

Mr. Curtiss, on leave, introduced the following bill, which was read the first time:

S. B. No. 128—To amend sec. 3, of an act entitled "An act to amend sections 24, 29, 31, 39, 40, 41, 42, 44 and 45, of an act entitled 'An act for the assessment and taxation of property in this State, and for levying taxes thereon, according to its true value in money,'" as amended April 7, 1863.

Mr. Owens, on leave, offered the following joint resolution:

S. J. R. No. 34—Relating to an amendment of section 4, article 10, of the Constitution of the State of Ohio.

Be it resolved by the General Assembly of the State of Ohio, (three-fifths of all the members elected to each House concurring therein), That a proposition to amend the Constitution of the State of Ohio, to be submitted to the electors of the State, on the second Tuesday of October, A. D. 1878, as follows, to-wit:

That sec. 4, of article 10, of the Constitution of Ohio, be amended so as to read as follows:

Article X. Sec. 4. Township officers shall be elected on the first Monday of April, by the qualified electors of each township, in such manner and for such terms not exceeding three years, as may be provided by law.

On motion of Mr. Owens, said joint resolution was referred to the committee on the Judiciary.

Mr. Fisher, on leave, introduced the following bill, which was read the first time:

S. B. No. 129—To authorize the council of the village of Coshocton to transfer certain funds mentioned therein.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred S. B. No. 102—To provide for the reorganization of a board of infirmary directors in cities of the first class having a population exceeding one hundred and eighty thousand, and to repeal certain acts therein named—

Having had the same under consideration, report it back with the following amendment, and recommend its passage when so amended:

Add at the end of section 4 the following, to wit: "For the payment of officers and the necessary expenses."

THEO. MARSH, R. G. RICHARDS,
LYMAN J. JACKSON, G. A. GROVE.

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Marsh submitted the following report:

The standing committee on Fish Culture and Game, to whom was referred H. B. No. 140—To amend section 35, of chapter 8, of an act entitled "An act to amend, revise and consolidate the statutes relating to crimes and offenses, and repeal certain acts therein named, to be known as title 1, crimes and offenses, part 4, of the act to revise and consolidate the general statutes of Ohio, (O. L., vol. 74, p. 273)—

Having had the same under consideration, report it back, with the following amendments, and recommed its passage when so amended:

Strike out all after the enacting clause, and insert the following, to wit:

"Section 1. That section 35, of chapter 8, of an act entitled 'An act

to amend, revise and consolidate the statutes relating to crimes and offenses, and repeal certain acts therein named, to be known as title 1, crimes and offenses, part 4, of the act to revise and consolidate the general statutes of Ohio,' be so amended as to read as follows:

"Section 35. Whoever, in any of the waters of any creek, river, canal, lake, pond or reservoir, or in any body of water, whether artificial or natural, lying within the State of Ohio, except the waters of Lake Erie, injures or kills or catches, in any other way than by hook and line, any fish, except minnows, or owns or possesses any fish pound, fish net, fish trap or fish sein, except seins to catch minnows, in or connected with any in the waters of the State of Ohio, except the waters of Lake Erie, or in any way maliciously disturbs any fish, in any private fish pond, shall be fined for each offense not more than fifty dollars nor less than ten dollars, and be imprisoned in the jail of the county not less than ten days nor more than sixty days.

"Section 2. That said section 35 of the above recited act be and the same is hereby repealed.

"Section 3. This act shall take effect and be in force from and after its passage."

THEO. MARSH, R. G. RICHARDS,
C. S. PARKER, W. P. HOWLAND,
THOS. M. BEER, J. C. FISHER.

Said amendments, as substituted, were agreed to, and the bill was ordered to be engrossed, and read the third time on Friday next.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in passage of Senate amendments to—

H. B. No. 162—Mr. Klimper—To amend section 3 of the act of April 6, 1870, entitled "An act limiting the compensation of certain officers herein named," (vol. 67, p. 36, O. L).

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 248—Mr. Herrick—Authorizing the trustees of Ridgeville township, Lorain county, Ohio, to transfer certain funds therein named to the general fund of said township.

H. B. No. 231—Mr. Wolf—To create a special school district composed of territory in the township of Falls, and in the county of Hocking.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of Senate amendments to—

H. B. No. 288—Mr. Bull—For the relief of Thornton P. Crowell,

Attest: L. A. BRUNNER, *Clerk.*

Mr. Carson submitted the following report:

The standing committee on common Schools and School Lands, to whom was referred H. B. No. 78—To create a special school district composed of territory in the townships of Washington, Perry, Rush and Clay, in Tuscarawas county—

Having had the same under consideration, report it back, and recommend that it be indefinitely postponed.

J. M. CARSON, R. G. RICHARDS,
THOS. M. BEER, H. C. LORD,
D. WAGENER, C. F. KRIMMEL.

The report of the committee was agreed to.

Mr. Richards submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 203—To authorize the council of the incorporated village of Green Springs to issue bonds for the erection and completion of a town hall and engine house—

Having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH, R. G. RICHARDS,
LYMAN J. JACKSON, G. A. GROVE,
G. W. WILSON.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 103—To authorize the council of the village of Ashtabula, Ashtabula county, Ohio, to levy a tax, issue bonds and raise funds for the improvement of Ashtabula harbor, in said village—

Having had the same under consideration, report it back, and recommend its passage.

W. T. FORREST, IRVINE DUNGAN,
G. M. SALTZGABER, LYMAN J. JACKSON.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Saltzgaber submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 101—To amend section 3 of an act entitled "An act to provide for the more prompt and efficient collection of claims due the State," (S. & C., vol. 2, p. 1233)—

Having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended:

Add after section 1 the following:

"Section 2. This act shall be in force from and after its passage."

W. T. Forrest, Irvine Dungan,
G. M. Saltzgaber, Lyman J. Jackson.

Said amendment was agreed to, and the bill was ordered to be engrossed, and read the third time to-morrow.

Mr. Wilson submitted the following report:

The standing committee on Municipal Corporations, to whom was referred S. B. No. 97—To amend "An act authorizing township trustees to levy a tax to purchase a site and erect a township hall thereon passed May 6, 1869, (p. 120, O. L., v. 66), as amended April 18, 1874, (O. L., v. 71, p. 95) as amended April 11, 1876, (O. L., v. 73, p. 203)—

Having had the same under consideration, report it back, with following amendments, and recommend its passage when so amended:

In section 1 strike out the words "not to exceed two thousand dollars, and insert "not exceeding two mills on the dollar."

In same section strike out all between the word "hall" in line 5, and the word "provided" in line 6.

At the end of section 1 add the following to wit: The trustees of any township, and the council of any incorporated village situate therein, may unite in purchasing a site for and erecting a town hall, as herein provided, and for that purpose the council of such incorporated village may levy and collect a tax on all the taxable property in said village, not exceeding two mills on the dollar; but before such tax shall be levied the question of such levy shall be submitted to the voters of such village in the manner herein provided, so far as applicable; and when such town hall shall be so erected jointly, the same shall be for the use of the citizens of the township and incorporated village, under such rules as shall be prescribed by the trustees of the township and the council of such incorporated village.

Theo. Marsh, R. G. Richards,
G. A. Grove, G. W. Wilson,
Lyman J. Jackson, James B. Steedman.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Dungan submitted the following report:

The standing committee on Corporations other than Municipal, to whom was referred H. B. No. 35—To amend an act entitled "An act to amend section 1 of an act entitled an act for the establishment, support and regulation of children's homes in the several counties, and children's homes district in this State, and to repeal certain acts therein named," passed and took effect March 22, 1876, (O. L., vol. 73, p. 64), as amended February 8, 1877, (O. L., vol. 74, p. 14.)

Having had the same under consideration, report it back, and recommend its passage.

Irvine Dungan, J. Sherrick,
Lyman J. Jackson, J. M. Armstrong,
Geo. P. Tyler.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Dungan submitted the following report:

The standing committee on Corporations other than Municipal, to whom was referred H. B. No. 238—To change the name of St. John's

First English Evangelical Church of Zanesville, in the county of Muskingum, Ohio—

Having had the same under consideration, report it back and recommend its passage.

IRVINE DUNGAN, LYMAN J. JACKSON,
J. M. ARMSTRONG, GEO. P. TYLER.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Dungan submitted the following report:

The standing committee on Corporations other than Municipal, to whom was referred H. B. No. 21—To amend section 2 of an act entitled "An act for the better security of head contractors and material men," and to repeal certain acts therein named, (O. L., vol. 74, p. 168.)—

Having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended:

In line 19, of section 1, after the word "book," insert the words "to be kept."

IRVINE DUNGAN, LYMAN J. JACKSON,
J. M. ARMSTRONG, GEO. P. TYLER.

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Dungan submitted the following report:

The standing committee on Corporations other than Municipal, to whom was referred H. B. No. 79—To amend section 22 of an act entitled "An act for the incorporation of townships," passed March 14, 1853, (S. & C., vol. 2, p. 1571.)

Having had the same under consideration, report it back, and recommend its passage.

IRVINE DUNGAN, LYMAN J. JACKSON,
J. M. ARMSTRONG, GEO. P. TYLER.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Dungan submitted the following report:

The standing committee on Corporations other than Municipal, to whom was referred S. B. No. 112—To authorize the commissioners of Mahoning county to transfer funds therein named—

Having had the same under consideration, report it back and recommend its passage.

IRVINE DUNGAN, LYMAN J. JACKSON,
J. M. ARMSTRONG, GEO. P. TYLER.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Irvine, on leave, introduced the following bill, which was read the first time:

S. B. No. 130—To facilitate the admistration of justice, and to repeal an act passed March 27, 1875, (O. L., vol. 72.)

Mr. Seitz, on leave, introduced the following bill, which was read the first time:

S. B. No. 131—To repeal an act to create a sub-school district in Seneca county, Ohio, to be called the Rockaway sub-school district.

Mr. Forrest submitted the following report:

The select committee of four, Senators from Hamilton county, to

whom was referred H. B. No. 199—Mr. Jessup—To enable the commissioners of Hamilton county, Ohio, to make a fill from the west end of the bridge across the great Miami river, below the mouth of WhiteWater river, to the Indianapolis, Cincinnati and Lafayette railroad station, at Elizabethtown, Whitewater township, Hamilton county, Ohio—

Having had the same under consideration, report it back, with the recommendation that it be passed.

W. T. Forrest, J. M. Armstrong,
Theo. Marsh, H. C. Lord.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Forrest moved that S. B. No. 6 be taken from the table.

Which was agreed to.

Said bill was read the third time.

Mr. Howland moved to refer the bill to a select committee of one with instructions to amend as follows:

Strike out the first word, "each," in line 1, section 3, and insert the word "the," so that it shall read "the clerk."

Which was agreed to, and Mr. Howland was appointed such committee.

Mr. Howland, on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No. 6, with instructions to amend, reports the same back amended as instructed.

W. P. Howland.

Mr Howland moved to refer the bill to a select committee of one, with instructions to amend section 2, line 18, by striking out all after the word "attend," in said line, to, and including the word "to," at the commencement of line 19, and insert "The auditor shall."

On which motion the yeas and nays were demanded, taken and resulted—yeas 9, nays 21, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Grove, Howland, Jackson of Clinton, Kelley, Richards, Sabine and Wilson—9.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Irvine, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Seitz, Steedman, Stokes, Tyler, Wagener and Williams,—21.

So the motion to refer was disagreed to.

Mr. Richards moved to refer the bill tc a select committee of one, with instructions to amend as follows:

Strike out from section 1, lines 2 and 3, the words "containing a city of the first-class, having a population exceeding 180,000."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 7, nays 22, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Howland, Kelley, Richards, Sabine and Wilson–7.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—22.

So the motion to refer was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays 9, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest,

Irvine, Jackson of Perry, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, and Williams—22.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Clinton, Kelley, Richards, Sabine and Wilson—9.

So the bill passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 260—Mr. McCoy of Wayne—To authorize the board of commissioners of Wayne county to build a court house.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Benson moved that the constitutional rule requiring bills to be read on three different days, be suspended, that H. B. No. 260 may be read the second time.

On which the yeas and nays were taken, and resulted—yeas 28, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Lord, McDonald, Owens, Parker, Richards, Sabine, Sherrick, Steedman, Tyler, Wagener, Williams, and Wilson—28.

So the motion was agreed to, and said bill was read the second time, and on motion referred to the committee on Finance.

Mr. Dungan submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled the following bills:

H. B. No. 136—To divide Pleasant township, Henry county, into two election precincts.

H. B. No. 37—To punish the offense of advertising for procurement of divorces.

H. B. No. 143—To authorize the board of education of the city of Portsmouth to borrow money to complete a school house now being erected in said city, and to issue bonds for the payment of the same.

A. D. MARSH, F. M. CARTER,
WM. JESSUP, DUNCAN DOW,
C. R. HARMON, IRVINE DUNGAN,
R. G. RICHARDS, C. F. KRIMMEL.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills and joint resolution:

H. B. No. 37—Mr. Wright—To punish the offense of advertising for procurement of divorces.

H. B. No. 136—Mr. Groschner—To divide pleasant township, Henry conunty, into two election precincts.

H. B. No. 143—Mr. Hayman—To authorize the board of education of the city of Portsmouth to borrow money to complete a school house now being erected in said city, and issue bonds for payment of the same.

H. J. R. No. 4—Mr. Bohl.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills and joint resolution.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of—

S. B. No. 88—Mr. Dungan—To fix the time for holding an additional term of the district court in Jackson county.

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Curtiss, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

THURSDAY, MARCH 14—10 o'clock A. M.

The Senate met pursuant to adjournment.

Prayer by Rev. J. F. Hamilton.

The Journal was read and approved.

Mr. Richards submitted the following report:

The committee on Enrollment have examined and found correctly enrolled the following bill:

H. B. No. 162—An act to amend section three of the act of April 6, 1870, entitled "An act limiting the compensation of certain officers therein named," (v. 67, p. 36, O. L.)

WM. JESSUP, IRVINE DUNGAN,
J. W. WASHBURN, C. F. KRIMMEL,
F. M. CARTER, J. R. JOHNSTON,
D. DOW, R. G. RICHARDS,
C. R. HARMON.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

H. B. No. 162—Mr. Klimper—To amend section 3 of the act of April 6, 1870, entitled "An act limiting the compensation of certain officers herein named, (v. 67, p. 36, O. L).

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bill.

Mr. Sherrick submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 260—To authorize the board of county commissioners of Wayne county to build a court house—.

Having had the same under consideration, report it back, and recommend its passage.

J. SHERRICK, J. M. CARSON,
H. C. LORD, THOS. M. BEER,
IRVINE DUNGAN, H. W. CURTISS.

Said bill was ordered to be engrossed at the Clerk's desk, and read the third time now, and was then read

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 30, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—30.

So the bill passed. The title was agreed to.

Bills were read the second time and referred as follows:

H. B. No. 248—Mr. Herrick—Authorizing the trustees of Ridgeville township, Lorain county, Ohio, to transfer certain funds therein named to the general fund of said township.

To committee on Corporations other than Municipal.

H. B. No. 231—Mr. Wolf—To create a special school district, composed of territory in the township of Falls, and county of Hocking.

To committee on Common Schools and School Lands.

Mr. Tyler submitted the following report:

The select committee of one, to whom was referred S. R. No. 42—

Having had the same under consideration, report it back, and recommend its adoption.

GEO. P. TYLER.

Said resolution was adopted.

S. B. No. 102—Mr. Forrest—To provide for the reorganization of a board of infirmary directors in cities of the first class, having a population exceeding 180,000, and to repeal certain acts therein named.

Was read the third time.

The question being, "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 19, nays 6, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carson, Curtiss, Fisher, Forrest, Grove, Jackson of Perry, Joy, Krimmel, Lord, Marsh, Parker, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—19.

Those who voted in the negative were—

Messrs. Beebe, Beer, Howland, Kelley, Richards and Wilson—6.

So the bill was passed. The title was agreed to.

Mr. Howland moved that S. B. No. 103 be laid upon the table.

Which was agreed to.

S. B. No. 101—Mr. Forrest—To amend section 3 of an act entitled "An act act to provide for the more prompt and efficient collection of claims due the State, (S. & C., v. 2, p. 1233).

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Dungan, Forrest, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Lord, Marsh, McDonald, Parker, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—22.

Mr. Seitz voted in the negative—1.

So the bill was passed. The title was agreed to.

H B. No. 238—Mr. Achauer—To change the name of St. John's First English Evangelical church, of Zanesville, in the county of Muskingum, Ohio.

Was read the third time

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 26, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Dungan, Forrest, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Lord, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—26.

So the bill passed. The title was agreed to.

H. B. No. 35—Mr. Edwards—To amend an act entitled "An act to amend section 1 of an act entitled an act for the establishment, support and regulation of children's homes in the several counties and children's homes district in this State, and to repeal certain acts therein named," passed and took effect March 22, 1876, (O. L., v. 73, p. 64), as amended February 8, 1877, (O. L., v. 74, p. 14).

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 25, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Dungan, Fisher, Howland, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Wagener, Williams and Wilson—25.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 11—Mr. Wright—To provide for the better regulation of the police in certain cities of the first class, and to repeal certain acts therein named.

Attest: L. A. Brunner, *Clerk.*

Said bill was read the first time.

H. B. No. 21—Mr. Reed of Ross—To amend section 2 of an act entitled "An act for the better security of head contractors and material men, and to repeal certain acts therein named," (O. L., v. 74, p. 168).

Was read the third time.

Mr. Wilson moved to re-commit the bill to a select committee of one with instructions to amend as follows:

At the end of section 1 add the following, "and there shall be no homestead or other exemption as against any lien under the provision of this act."

Which was disagreed to.

Mr. Richards moved that the vote whereby said proposed reference was disagreed to, be reconsidered.

Which was agreed to.

The question recurring on the motion to refer with instructions, the same was agreed to, and Mr. Wilson was appointed such committee.

Mr. Wilson, on leave, submitted the following report:

The select committee of one, to whom was referred H. B. No. 21, with instructions to amend, reports the same back amended as instructed.

G. W. WILSON.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 15, nays 13, as follows:

Those who voted in the affirmative were—

Messrs. Benson, Curtiss, Dungan, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, McDonald, Richards, Sabine, Saltzgaber, Sherrick and Wilson—15.

Those who voted in the negative were—

Messrs. Armstrong, Forrest, Joy, Krimmel, Lord, Marsh, Owens, Parker, Seitz, Steedman, Tyler, Wagener and Williams—13.

So the bill, having failed to receive a constitutional majority, was lost.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has refused to concur in the passage of—

S. B. No. 35—Mr. Seitz—To repeal an act entitled an act to establish a board of State charities, and defining its duties, (O. L., vol. 73, p. 165).

Attest: L. A. BRUNNER, *Clerk.*

Mr. Dungan submitted the following report:

The joint committee on Enrollment have examined and found correctly enrolled the following bills:

H. B. No. 288—For the relief of Thornton P. Crowell.

H. B. No. 260—To authorize the board of commissioners of Wayne county to build a court house.

J. W. WASHBURN, WM. JESSUP,
IRVINE DUNGAN, DUNCAN DOW,
A. D. MARSH, C. R. HARMON,
F. W. CARTER.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 260—Mr. McCoy, of Wayne—To authorize the board of commissioners of Wayne county to build a court house.

H. B. No. 288—Mr. Bull—For the relief of Thornton P. Crowell.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

H. B. No. 203—Mr. Norton—To authorize the council of the incorporated village of Green Springs to issue bonds for the erection and completion of a town hall and engine house.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 25, nays none, as follows:

Those who voted in the affirmative were—.

Messrs. Armstrong, Beebe, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Howland, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Sherrick, Steedman, Tyler and Wagener—25.

So the bill was passed. The title was agreed to.

On motion of Mr. Carlisle, the Senate took a recess.

THREE O'CLOCK P. M.

Mr. Richards moved that the vote whereby the title to H. B. No. 35 was agreed to, be reconsidered.

Which was agreed to.

Mr. Richards moved to amend said title by transposing the words "children's homes district" to "children's district homes."

Which was agreed to, and the title, as amended, was then agreed to.

H. B. No. 79—Mr. Van Cleaf—To amend section 22 of an act entitled "an act for the incorporation of townships," passed March 14, 1853, (Swan & Critchfield, vol. 2, page 1571).

Was read the third time.

Mr. Tyler moved to refer the bill to a select committee of one, with instructions to amend as follows:

Insert, in section 22, line 3, after the word "trustee," the word "and;" and in line 6, same section, strike out the words "and clerk," after the word "trustee."

Which was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 27, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Wagener and Wilson—27.

Mr. Tyler voted in the negative—1.

So the bill was passed. The title was agreed to.

S. B. No. 112—Mr. Johnston—To authorize the commissioners of Mahoning county to transfer funds therein named.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 28, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Lord, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—28.

So the bill was passed. The title was agreed to.

H. B. No. 199—Mr. Jessup—To enable the commissioners of Hamilton county, Ohio, to make a fill from the west end of the bridge across the

Great Miami river, below the mouth of Whitewater river, to the Indianapolis, Cincinnati & Lafayette railroad station, at Elizabethtown, Whitewater township, Hamilton county, Ohio.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 29, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—29.

So the bill was passed. The title was agreed to.

S. B. No. 97—Mr. Marsh—To amend an act authorizing township trustees to levy a tax to purchase a site and erect a township hall thereon, passed May 6, 1869, (O. L., vol. 66, page 120,) as amended April 18, 1874, (O. L., vol. 71, page 95,) as amended April 11, 1876, (O. L., vol. 73, page 203).

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 26, nays 3, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Lord, Marsh, McDonald, Sabine, Saltzgaber, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—26.

Messrs. Johnston, Richards and Seitz voted in the negative—3.

So the bill was passed. The title was agreed to.

Mr. Johnston moved that the vote whereby H. B. No. 21 was lost be reconsidered.

Which was agreed to.

Mr. Johnston moved that the vote by which Mr. Wilson's motion to refer the bill to a select committee of one, with instructions to amend, be reconsidered.

Which was agreed to.

The question recurring on Mr. Wilson's motion to refer, with instructions to amend—

The yeas and nays were demanded, taken, and resulted—yeas 16, nays 12, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Curtiss, Fisher, Grove, Howland, Kelley, Marsh, McDonald, Richards, Sabine, Seitz, Tyler, Williams and Wilson—16.

Those who voted in the negative were—

Messrs. Beer, Carson, Dungan, Forrest, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Krimmel, Lord, Saltzgaber and Stokes—12.

So the motion to refer was agreed to, and Mr. Wilson was appointed such committee.

Mr. Wilson, on leave, submitted the following report:

The select committee of one to whom was referred for H. B. No. 21, with instructions to amend, reports the same back amended as instructed.

G. W. Wilson.

Mr. Seitz moved to refer the bill to a select committee of one, with instructions to amend as follows:

By striking out the word "two," in line 26, and inserting in lieu thereof the word "one."

Which was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 18, nays 11, as follows:

Those who voted in the affirmative were—

Messrs. Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, McDonald, Richards, Sabine, Saltzgaber, Tyler and Wilson—18.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Forrest, Joy, Krimmel, Lord, Owens, Seitz, Steedman, Stokes and Williams—11

So the bill was passed. The title was agreed to.

Mr. Richards submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled the following bills:

H. B. No. 207—To amend sections 8 and 9 of chapter 3, title 2, code of criminal procedure, (O. L. v. 74, pp. 330–1).

H. B. No. 93—Releasing Wayne township, Belmont county, from the operation of an act passed March, 1831, (S. & C., Stat., p. 1577), providing for the election of three trustees and treasurer for section No. 16, school lands.

H. B. No. 242—To authorize the township trustees of any township in this State, to levy a tax for purchasing a hearse and erecting a vault.

H. B. No. 193—To authorize the trustees of Anderson township, Hamilton county, Ohio, to transter money from the poor fund to road fund and from township fund to road fund.

DUNCAN DOW, C. R. HARMON,
IRVINE DUNGAN, R. G. RICHARDS.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 272—Mr. Wright—To amend an act entitled "An act supplementary to an act entitled an act supplementary to an act to provide for the organization and government of municipal corporations," passed May 5, 1877, (O. L., v. 74, p 185).

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 181—Mr. Dunham—To provide for the location, establish-

ment and construction of a new ditch, in part, and the alteration, changing, widening, deepening and otherwise improving certain ditches, drains and water courses, in the counties of Sandusky, Seneca and Wood, in the State of Ohio.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Steedman submitted the following report:

The standing committee on Federal Relations, to whom was referred S. J. R. No. 22—Requesting Senators and Representatives to use their influence to prevent any reduction of tariff on foreign articles—

Having had the same under consideration, report it back, and a majority of the committee recommend the adoption of the substitute offered by Mr. Forrest.

JAMES B. STEEDMAN, J. M. CARSON,
LYMAN J. JACKSON, J. C. FISHER.

The question being on the adoption of the substitute—

Mr. Wilson moved to amend the amendment as follows:

Strike out the whole of the first resolution.

Strike out all of the second resolution after the word "of," in the first line thereof, and insert the following, "Ohio, are in favor of a tariff for revenue so regulated and adjusted as to afford protection to American labor and industries."

Mr. Saltzgaber moved that the substitute and amendments be indefinitely postponed.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 14, nays 17, as follows:

Those who voted in the affirmative were—

Messrs. Benson, Carlisle, Carson, Krimmel, Marsh, McDonald, Parker, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—14.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Dungan, Fisher, Forrest, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Lord, Owens, Richards, Sabine, Sherrick and Wilson—17.

So the motion was disagreed to.

The question recurring on Mr. Wilson's amendment to said substitute, The yeas and nays were demanded, taken, and resulted—yeas 11, nays 18, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Curtiss, Dungan, Howland, Jackson of Clinton, Johnston, Kelley, Richards, Sabine and Wilson—11.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Fisher, Forrest, Grove, Jackson of Perry, Krimmel, Lord, Marsh, McDonald, Saltzgaber, Sherrick, Steedman, Stokes, Tyler and Williams—18.

So said amendment was disagreed to.

The question being on the adoption of the substitute for said joint resolution, No. 22, the yeas and nays were demanded, taken and resulted —yeas 16, nays 15, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Carson, Forrest, Grove, Jackson of Perry, Krimmel, Lord, Marsh, McDonald, Parker, Saltzgaber, Sherrick, Steedman, Stokes, Tyler and Williams—16.

Those who voted in the negative were—

Messrs. Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Howland, Jackson of Clinton, Johnston, Kelley, Owens, Richards, Sabine and Wilson—15.

So said substitute was agreed to.

The question being on the adoption of the joint resolution, as amended, the yeas and nays were demanded, taken, and resulted—yeas 12, nays 15, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Carson, Forrest, Krimmel, Lord, Marsh, Saltzgaber, Sherrick, Steedman, Stokes, Tyler and Williams—12.

Those who voted in the negative were—

Messrs. Beebe, Beer, Benson, Dungan, Fisher, Howland, Jackson of Clinton, Johnston, Kelley, Owens, Parker, Richards, Sabine, Seitz and Wilson—15.

So said joint resolution was disagreed to.

Mr. Dungan submitted the following report:

The joint committee on Enrollment have examined and found correctly enrolled the following bill:

H. B. No. 85—To regulate the payment of certain costs in criminal cases

J. W. Washburn, C. R. Harmon,
Wm. Jessup, D. Dow,
F. M. Carter, A. D. Marsh,
Irvine Dungan.

Mr. Dungan submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled the following bill:

H. B. No. 203--To authorize the council of the incorporated village of Green Springs, to issue bonds for the erection and completion of a town hall and engine house.

Duncan Dow, E. S. Perkins,
J. W. Washburn, C. R. Harmon,
Irvine Dungan, J. R. Johnston,
C. F. Krimmel.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 207—Mr. Foster--To amend section 9, of chapter 3, of an act entitled "An act to amend, revise and consolidate the statutes relating to criminal procedure," passed May 5, 1877, (v. 74, O. L., p. 331).

H. B. No. 193—Mr. Sullivan of Hamilton—To authorize the trustees of Anderson township, Hamilton county, Ohio, to transfer money from the poor fund to road fund, and from township fund to road fund.

H. B. No. 93—Mr. Danford—Releasing Wayne township, Belmont county, from the operations of an act passed March 14, 1831, and took effect June 1, 1831, (S. & C. Stat., p. 1577), providing for the election of three trustees, and treasurer, for section No. 16, school lands.

H. B. No. 242—Mr. Hitchcock—To authorize the township trustees of

the township of Bainbridge, county of Geauga, to levy a tax for purchasing a hearse and erecting a vault.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

H. B. No. 203—Mr. Norton—To authorize the council of the incorporated village of Green Springs to issue bonds for the erection and completion of a town hall and engine house.

Attest: L. A. BRUNNER, *Clerk.*

The President in presence of the Senate, signed said bill.

Mr. Forrest moved that the vote whereby H. B. No. 78 was lost, be reconsidered.

Mr. Sherrick moved that said motion be laid upon the table.

Which was agreed to.

Mr. Wagener, on leave, introduced the following bill, which was read the first time:

S. B. No. 132—To authorize the commissioners of Belmont county to levy a special tax for purposes therein named.

On motion of Mr. Richards, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

FRIDAY, MARCH 15, 1878—10 o'clock A. M.

The Senate met pursuant to adjournment.

Prayer by Rev. E. K. Squier.

The Journal was read and approved.

Mr. Seitz presented the petition of J. B. Stinebauch and 210 other citizens of Bloom township, Seneca county, and the school board of said township, praying for the repeal of the act creating the sub-school district of Rockaway.

Which was referred to the committee on Common Schools and School Lands.

Mr. Seitz presented the remonstrance of W. T. Goodbread and 31 other citizens of Wyandot county, against the passage of the "Perkins School book bill."

Which was referred to the committee on Schools and School Lands.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bill has been introduced in the House of Representatives and read the first time:

H. B. No. 364—Mr. Green—Supplementary to the act entitled "An

act relating to the payment of certain bonds of the city of Xenia," passed February 22, 1877, (O. L., vol. 74, p. 396).

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill in which the concurrence of the Senate is requested:

H. B. No. 273—Mr. Estill—To amend section 11 of an act entitled "An act relating to jurors," passed March 9, 1876.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 257—Mr. McCoy of Wayne—To authorize the incorporated village of Marshallville, Wayne county, Ohio, to borrow money for the purchase of a fire engine and apparatus, the construction of cisterns, the purchase of a lot and the erection af an engine house.

H. B. No. 262—Mr. Sage—Supplementary to an act entitled "An act to provide for the straightening, clearing out, widening, deepening and otherwise improving certain ditches, drains and water courses in Wood county, Ohio," passed April 11, 1876, (O. L., vol. 63, p. 303).

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

The following bills were read the second time and referred—

H. B. No. 11—Mr. Wright—To provide for the better regulation of the police in certain cities of the first class, and to repeal certain acts therein named.

To select committee of four—Senators from Hamilton county.

H. B. No. 272—Mr. Wright—To amend an act entitled "An act supplementary to an act entitled an act supplementary to an act to provide for the organization and government of municipal corporations," passed May 5, 1877, (O. L., vol. 74, p. 185),

To committee on Municipal Corporations.

H. B. No. 181—Mr. Dunham—To provide for the location, establishment and construction of a new ditch, in part, and the alteration, changing, widening, deepening and otherwise improving certain ditches, drains and water courses, in the counties of Sandusky, Seneca and Wood.

To committee on Public Works and Public Lands.

S. B. No. 121—Mr. Sherrick—To provide for the furnishing of books and stationery for certain county officers, and to repeal certain acts therein named.

To committee on Finance.

S. B. No. 122—Mr. Sherrick—To provide offices for county surveyors, and to repeal a certain act therein named.

To committee on Finance.

S. B. No. 123—Mr. Sherrick—To provide offices for the probate judges of the several counties, and to repeal an act therein named.

To committee on Finance.

S. B. No. 124—Mr. Tyler—To authorize the commissioners of Brown county, Ohio, to construct a free turnpike road, from the terminus of the Ripley and Hillsborough tree turnpike road to the Highland county line.

To committee on Railroads, Telegraphs and Turnpikes.

S. B. No. 125—Mr. Parker—To authorize the council of the incorporated village of Norwalk to levy an additional tax for the general purpose fund of said village.

To committee on Finance.

S. B. No. 126—Mr. Lord—Supplementary to the act relating to cities of the first class having a population exceeding 150,000 inhabitants, passed May 4, 1869.

To committee on Finance.

S. B. No. 127—Mr. Lord—To provide for the administration of property given for the promotion of science, art and like purposes, and to protect the same from waste.

To committee on Geological Survey.

S. B. No. 128—Mr. Curtiss—To amend section 3 of an act entitled "An act to amend sections 24, 29, 31, 39, 40, 41, 42, 44 and 45 of an act entitled an act for the assessment and taxation of property in this State, and for levying taxes thereon according to its true value in money," as amended April 7, 1863, (O. L., vol. 65, p. 167, S. & S., 753).

To committee on Finance.

S. B. No. 129—Mr. Fisher—To authorize the council of the village of Coshocton to transfer certain funds mentioned therein.

To committee on Municipal Corporations.

S. B. No. 130—Mr. Irvine—To facilitate the administration of justice, and to repeal an act passed March 27, 1875, (O. L., vol. 72).

To committee on Judiciary.

S. B. No. 131—Mr. Seitz—To repeal an act to create a sub-school district in Seneca county, Ohio, to be called the Rockaway sub-school district.

To committee on Common Schools and School Lands.

S. B. No. 132—Mr. Wagener—To authorize the commissioners of Belmont county to levy a special tax for purposes therein named.

To committee on Judiciary.

S. B. No. 120—Mr. Tyler—For relief of W. J. Jacobs and his sureties.

Mr. Tyler moved that the constitutional rule requiring bills to be read on three different days be suspended, that S. B. No. 120 may be read the third time.

On which motion, the yeas and nays were taken and resulted—yeas 26, nays 3, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Curtiss, Dungan, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Richards, Sabine, Seitz, Sherrick, Steedman, Tyler, Wagener and Wilson,—26.

Those who voted in the negative were—

Messrs. Forrest, Owens and Saltzgaber—3.

So the motion was disagreed to, not having received a constitutional majority.

Mr. Tyler moved that the bill be referred to a select committee of one.

Which was agreed to, and Mr. Tyler was appointed such committee.

H. B. No. 140—Mr. Maury—To amend section 35, chapter 8, of offenses against public policy, (O. L , 1877, vol. 74, p. 273).

Was read the third time.

Mr. Forrest moved that the further consideration of said bill be postponed until Tuesday next, and the substitute be printed.

Which was agreed to.

Mr. Sherrick moved that H. B. No. 12 be taken from the table.

Which was agreed to.

After some debate on the bill, Mr. Johnston raised the point of order that he had objected, and that the bill had not therefor been taken from the table.

The President decided that as there had been proceedings had upon the bill before the gentleman raised his point of order, that his objections came too late, and the bill was therefore before the Senate.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 21, nays 11, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Seitz, Sherrick, Steedman and Stokes—21.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley, Richards, Sabine, Saltzgaber and Wilson--11.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to—

H. B. No. 21—Mr. Reed of Ross—To amend section 2 of an act entitled "An act for the better security of head contractors and material men, and to repeal certain acts therein named," (O. L., v. 72, p. 168).

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills in which the concurrence of the Senate is requested:

Sub. for H. B. No. 106—Mr. Levering—To amend an act entitled "An act for the protection of wool growers, and the confiscation of dogs," passed May 5, and took effect June 1, 1877.

H. B. No. 164—Mr. Dow—To amend section 9 of an act entitled "An act supplementary to an act entitled 'An act to provide for the creation and regulation of incorporated companies in the State of Ohio,'" passed May 1, 1852; passed April 15, 1867, (S. & S., 186), as amended Feb. 25,

1869, (O. L., vol. 66, p. 11); as amended April 20, 1874, (O. L., vol. 71, p. 161); as amended April 11, 1876, (O. L., vol. 73, p. 188); as amended March 12, 1877, (O. L., vol. 74, p. 38.)

H. B. No. 215—Mr. Dawson—To authorize the council of the incorporated village of Leesburg, Highland county, to issue bonds and borrow money for the erection of public buildings, and to transfer certain funds for said purpose.

H. B. No. 240—Mr. Clough—To amend an act entitled "An act supplementary to an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869," passed April 28, 1873, (O. L., vol. 70, p. 179.)

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has reconsidered the vote by which it concurred in Senate amendments to—

H. B. No. 85—Mr. Washburn—To regulate the payment of certain costs in criminal cases—

And has refused to concur in said amendments.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Johnston moved that the Senate insist upon its amendments to said bill.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 167—Mr. Worley—To transfer territory from Paris special school district to Paris township school district, Stark county, O.

H. B. No. 335—Mr. Dodds—To amend sections 11 and 12 of an act entitled "An act supplementary and amendatory of the act entitled 'An act to amend sections 2, 4 and 24 of an act to preserve the purity of elections," passed May 7, 1877, (O. L., vol. 74, p. 211.)

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

Mr. Forrest moved that the constitutional rule requiring bills to be read on three different days be suspended, that H. B. No. 335 may be read the second time.

On which motion the yeas and nays were taken, and resulted—yeas 29, nays 5, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Krimmel, Lord, Marsh, McDonald, Parker, Richards, Seitz, Sherrick, Steedman, Stokes, Wagener and Williams—29.

Those who voted in the negative were—

Messrs. Kelley, Owens, Sabine, Saltzgaber and Wilson—5.

So the motion was agreed to, and said bill was read the second time and referred to the committee on Municipal Corporations.

The President laid before the Senate communications from the city council of the city of Cleveland, with resolutions, protesting against the passage of the bill abolishing the bureau of labor statistics, and requesting a change in the present so-called register law.

Which was referred to the committee on Privileges and Elections.

Mr. Parker, on leave, introduced the following bill, which was read the first time:

S. B. No. 133—To amend an act entitled "An act requiring compensation for causing death by wrongful acts, neglect or default, passed March 25, 1851, and to repeal the act amending said act," passed March 7, 1872.

Mr. Sherrick, on leave, introduced the following bill, which was read the first time:

S. B. No. 134—To amend section 4 of an act entitled "An act for the relief of the poor, and to repeal certain acts therein named," passed April 12, 1876, (O. L., vol. 73, p. 234).

Mr. Steedman, on leave, introduced the following bill, which was read the first time:

S. B. No. 135—To create a board of control in cities of the first class, that have been advanced to that grade between decennial periods.

Mr. Richards, on leave, introduced the following bill, which was read the first time:

S. B. No. 136—For the relief of Richard Cochran.

Mr. Lord, on leave, introduced the following bill, which was read the first time:

S. B. No. 137—To regulate the sale of mineral oils and other substances for illuminating purposes, and to repeal certain acts therein named.

Mr. Forrest, on leave, introduced the following bill, which was read the first time:

S. B. No. 138—For the better protection of lives and property against accidents occasioned by steam, and to prohibit unqualified persons from managing or controling stationary steam boilers, engines and apparatus.

Mr. Sabine, on leave, introduced the following bill, which was read the first time.

S. B. No. 139—To allow the qualified electors of incorporated villages to vote for or against requiring the trustees or council of incorporated villages to regulate, restrain and prohibit ale, beer and porter houses or shops and places of notorious and habitual resort for tippling and intemperance therein.

Mr. Forrest, on leave, introduced the following bill, which was read the first time:

S. B. No. 140--Supplementary to the acts passed Feb. 24, 1876, and April 24, 1877, supplementary to the act relating to cities of the first class having a population exceeding 150,000 inhabitants, passed May 4, 1869, (O. L., vol. 66, p. 80).

Mr. Lord submitted the following report:

The standing committee on Privileges and Elections, to whom was referred H. B. No. 166—To divide Greenfield township, Fairfield county, into two election precincts—

Having had the same under consideration, report it back, and recommend its passage.

H. C. LORD, C. F. KRIMMEL,
W. T. FORREST, R. G. RICHARDS,
LYMAN J. JACKSON, G. M. SALTZGABER.

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted--yeas 25, nays 4. as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Sabine, Sherrick, Steedman, Tyler and Wagener—25.

Those who voted in the negative were—

Messrs. Beer, Howland, Richards and Seitz—4.

So the bill was passed. The title was agreed to.

Mr. Benson moved that S. J. R. No. 33 be taken up and referred to the committee of Public Expenditures.

Which was agreed to.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred S. B. No. 53—To provide for the cleaning of streets in cities of the first class having a population of more than 200,000, and to repeal an act therein named, (O. L., vol. 74, p. 105.)—

Having had the same under consideration, report it back, with following amendment, and recommend its passage when so amended:

After the word "city" in line 7, sec. 1, add "provided nevertheless the board may at any time when in their judgment the best interests of the city will be subserved, advertise for proposals for cleaning the same, and may renew any contract with any person or persons having existing contracts for their use and occupancy. Whenever the board determines to contract for such cleaning, they shall advertise for sealed proposals to perform the work, in some newspaper of general circulation within said city or cities for a period of ten days, and shall contract with the lowest responsible bidder to perform said contract; and for the faithful performance of the same, may demand such security as in their judgment they may deem proper; or may reject any or all such proposals or bids at their discretion."

THEO. MARSH, R. G. RICHARDS,
G. W. WILSON, G. A. GROVE,
LYMAN J. JACKSON, JAMES B. STEEDMAN.

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

On motion of Mr. Seitz, the Senate took a recess.

THREE O'CLOCK P. M.

Mr. Jackson of Perry, pursuant to previous notice, introduced the following bill, which was read the first time:

S. B. No. 141—To change the common pleas districts of the State, and to give greater efficiency to the common pleas and district courts.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bill has been introduced in the House of Representatives and read the first time:

H. B. No. 365—Mr. Norton—To apportion the State of Ohio into congressional districts, and to repeal an act therein named.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Saltzgaber moved that the vote by which the Senate insisted on its amendments to H. B. No. 85, be reconsidered.

Which was agreed to.

The question recurring on the motion to insist on the Senate amendments to said bill—

Mr. Johnston moved that said motion be laid upon the table.

Which was agreed to.

Mr. Saltzgaber moved that the vote whereby H. B. No. 85 was passed be reconsidered.

Which was agreed to.

The question recurring on the passage of said bill—

Mr. Saltzgaber moved that the bill be laid upon the table.

Which was agreed to.

Mr. Lord submitted the following report:

The standing committee on Geological Survey, to whom was referred S. J. R. No. 31—Mr. Johnston—Providing for the printing and distribution of the fifth volume of the final report of the Geological Corps of Ohio—

Having had the same under consideration, report it back and recommend its adoption.

H. C. LORD, IRVINE DUNGAN,
J. R. JOHNSTON, LINDSEY KELLEY,
W. H. STOKES, JAMES W. OWENS.

The question being on the adoption of said joint resolution, the yeas and nays were taken and resulted—yeas 25, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Howland, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, McDonald, Parker, Richards, Sabine, Saltzgaber, Stokes, Tyler, Wagener, Williams and Wilson—25.

Said joint resolution was adopted.

Mr. Howland, on leave, introduced the following bill, which was read the first time:

S. B. No. 142—To amend section ten of an act entitled "An act for the better security of head contractors, sub-contractors and material men, and to repeal certain acts therein named, (L. 1877, p. 168).

Mr. Sabine, on leave, introduced the following bill, which was read the first time:

S. B. No. 143—Relating to ditches.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 253—Mr. Green—Supplementary to the acts relating to criminal procedure.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Parker offered the following joint resolution:

S. J. R. No. 35—WHEREAS, The treasurer of Huron county has paid into the State Treasury all money received by him from permits for shows in said county since 1862, after deducting his fees, amounting to the sum of one thousand one hundred and fifty-three dollars and eighty-three cents, and—

WHEREAS, One half of said sum should have been retained by said treasurer for the school fund of said county, and was paid into the State treasury by mistake, therefore—

Be it resolved by the General Assembly of the State of Ohio, That the Treasurer of State be and he is hereby directed to correct said mistake by crediting the treasurer of said county said sum of five hundred and seventy-six dollars and ninety-one cents, which the treasurer of said county is hereby authorized to retain in his next settlement with the treasurer of State, for the school fund of said county of Huron.

Said joint resolution was, on motion, referred to the committee on Claims.

Mr. Carson submitted the following report:

The standing committee on Military Affairs, to whom was referred—

S. J. R. No. 27—Mr. Owens—To authorize the Adjutant General to loan battle-flags, artillery, muskets, etc., to the executive committee of the Soldiers' and Sailors' society of Licking county—

Having had the same under consideration, report it back and recommend its adoption.

J. M. CARSON, G. M. SALTZGABER,
THOS. S. JACKSON, J. R. JOHNSTON.

The question being on the adoption of said joint resolution, the yeas and nays were taken, and resulted—yeas 29, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—29.

So said joint resolution was adopted.

Mr. Saltzgaber submitted the following report:

The standing committee on Military Affairs, to whom was referred—

S. B. No. 34—To revise and codify the laws relating to the organization and maintenance of the militia of Ohio—

Having had the same under consideration, report it back with the following amendments, and recommend its passage when so amended:

To add under title to divisions: "Chapter VI. Repeals."

To strike out of section six, chapter two, the words: "Each two-gun battery shall have a first lieutenant, a second lieutenant, a first sergeant, a quartermaster-sergeant, two sergeants, four corporals, a hospital steward, a musician, an artificer, a wagoner, and not less than twenty nor more than forty privates."

To strike out of line 5, sec. 7, chap. 2, the words: Each two-gun battery not to exceed seventy-five, for."

To strike out, at the close of section 22, chapter 2, the words: "Unless otherwise specially ordered by the Commander-in-Chief."

To strike out all of section one, chapter three, and insert instead thereof—

"SECTION 1. Companies, troops, batteries, bands, battalions and regiments shall be governed by the military law of the State, the orders of the Governor, and the code of regulations in the order named, and, as near as may be practicable, the regulations, articles, customs and usages of the United States Army, and in all drills and ceremonies shall conform to the standard tactics of the United States Army."

To strike out of line nine, section thirteen, chapter four, the words: "Sixteen for a two-gun battery."

To strike out of line five, section twenty-five, chapter five, the word "one" and insert the word "five"

To insert, after the word "township," in line seven, of section twenty, chapter five, the words: "Or Probate Judge of the proper county."

To add a chapter as follows:

CHAPTER VI.—REPEALS.

SECTION 1. The following acts and parts of acts are hereby repealed:

1. The act of April 21, 1861, entitled "An act relating to the bonds of certain officers." [58, v. 104; S. & S., 462.]

2. Section eleven of the act of April 16, 1867, entitled "An act making appropriations for the year 1867, and the first quarter of the year 1868." [64, v. 228; S. & S., 462.]

3. The act of April 2, 1866, entitled "An act to enroll the militia of Ohio, to organize a volunteer militia, and to repeal certain acts therein named," except section twenty thereof. [63, v. 70; S. & S., 449.]

4. The act of April 11, 1876, entitled "An act to amend an act entit ed an act to enroll the militia of Ohio, to organize the volunteer militia, and to repeal certain acts therein named," passed April 2, 1866, and to repeal certain acts therein named." [73, v. 173.]

5. The act of May 7, 1877, entitled "An act to amend an act entitled an act to amend an act entitled an act to enroll the militia of Ohio, to organize the volunteer militia, and to repeal certain acts therein named," passed April 2, 1866, and to repeal certain acts therein named, passed April 11, 1876," except sections numbered 17, 18 and 19 of said act. [74, v. 227.]

6. The act of January 24, 1878, entitled "An act to amend an act passed April 2, 1866, entitled an act to enroll the militia of Ohio, to organize a volunteer militia, and to repeal certain acts therein named." [75, v. 1.]

SEC. 2. This act shall take effect and be in force from and after its passage.

LYMAN J. JACKSON, J. R. JOHNSTON,
THOS. S. JACKSON, D. JOY,
GEO. P. TYLER, J. M. CARSON,
G. M. SALTZGABER.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Williams submitted the following report:

The standing committee on Agriculture. to whom was referred H. B. No. 205—Establishing the standard of weights and measures—

Having had the same under consideration, report it back, without recommendation.

JOHN H. BENSON, W. H. STOKES,
J. B. WILLIAMS THOS. S. JACKSON,
J. M. CARSON.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Carson submitted the following report:

The standing committee on Agriculture, to whom was referred H. B. No. 109—To destroy hawks, rats and foxes—

Having had the same under consideration, report it back without recommendation.

W. H. STOKES, THOS. S. JACKSON,
JOHN H. BENSON, J. B. WILLIAMS,
J. M. CARSON.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Dungan submitted the following report:

The joint committee on Enrollment have examined and found correctly enrolled the following bills:

H. B. No. 238—To change the name of St. John's First English Evangel cal church, of Zanesville, in the county of Muskingum, Ohio.

H. B. No. 199—To enable the commissioners of Hamilton county, Ohio, to make a fill rom the west end of the bridge across the Great Miami river, below the mouth of White Water river to the Indianapolis, Cincinnati and Lafayette railroad station at Elizabethtown, White Water township, Hamilton county, Ohio.

H. B. No. 79—To amend section 22 of an act for the incorporation of townships, passed March 14, 1853, (S. & C., v. 2, page 1569).

H. B. No. 35—To amend an act entitled "An act to amend section 1 of an act entitled an act for the establishment, support and regulation of children's homes, in the several counties and children's district homes in this State, and to repeal certain acts therein named," passed and took effect March 22, 1876, (O. L., v. 73, p. 64), as amended February 8, 1877, (O. L., v. 74, p. 14).

A. D. MARSH, J. W. WASHBURN,
IRVINE DUNGAN, R. G. RICHARDS,
WM. JESSUP, C. R. HARMON,
DUNCAN DOW, E. S. PERKINS.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 238—Mr. Achauer—To change the name of St. John's English Evangelical church, of Zanesville, in the county of Muskingum, Ohio.

H. B. No. 199—Mr. Jessup—To enable the commissioners of Hamilton county, Ohio, to make a fill from the west end of the bridge, across the Great Miami river, below the mouth of White Water river, to the Indianapolis, Cincinnati and Lafayette railroad station, at Elizabethtown, White Water township, Hamilton county, Ohio.

H. B. No. 79—Mr. Van Cleaf—To amend section 22 of an act entitled "An act for the incorporation of Townships," passed March 14, 1853, (S. & C., v. 2, p. 1571).

H. B. No. 35—Mr. Edwards—To amend an act entitled "An act to amend section 1 of an act entitled an act for the establishment, support, and regulation of children's homes in the several counties, and children's district homes in this State, and to repeal certain acts therein named," passed and took effect March 22, 1876, (O. L., v. 73, p. 64), as amended February 8, 1877, (O. L., v. 74, p. 14).

Attest: L. A. Brunner, *Clerk.*

The President, in presence of the Senate, signed said bills.

Mr. Carson submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred S. B. No. 91—To create a special school district in Rush Creek township, Fairfield county, Ohio—

Having had the same under consideration, report it back without recommendation.

J. M. Carson, Thos. M. Beer,
H. C. Lord, G. A. Grove,
R. G. Richards, D. Wagener.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Carson submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred H. B. No. 75—To establish a sub-school district in Olmstead township, Cuyahoga county—

Having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended:

In section 4, line 4, strike out the word "eight," and insert the word "seven."

J. M. Carson, G. A. Grove,
D. Wagener, H. C. Lord,
R. G. Richards, C. F. Krimmel,
Thos. M. Beer.

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Dungan submitted the following report:

The standing committee on Corporations other than Municipal, to whom was referred H. B. No. 248—Authorizing the trustees of Ridgeville township, Lorain county, Ohio, to transfer certain funds therein named to the general fund of said township—

Having had the same under consideration, report it back, and recommend its passage.

Irvine Dungan, R. G. Richards,
Lyman J. Jackson, J. M. Armstrong,
J. R. Johnston, Geo. P. Tyler.

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 32, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—32.

So the bill was passed. The title was agreed to.

Mr. Tyler submitted the following report:

The select committee of one, to whom was referred S. B. No. 120—For the relief of W. J. Jacobs and his sureties—

Having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

Strike out in line 7, in preamble, the figures "2,200," and insert "1,774.-90."

Strike out in line 4, in section 1, the figures "2,200," and insert "1,774.-90."

GEO. P. TYLER.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Saltzgaber submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 89—To authorize incorporated villages and cities to purchase steam fire engines—

Having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

To add after the title the words "and fire apparatus."

To strike out of line 3 the words "a steam fire engine or other."

To add after the word "village," in line 2, the words "containing a population of not less than 2,000."

To add after the word "engine," in line 6, the words, "or other fire apparatus."

In line 9, to strike out the words, "pay for the same," and insert "be issued."

In line 13, before the word "annually," insert "semi."

In line 19, after the word "majority," insert "voting thereat."

To add after section 1: "Section 2. That if a majority of the council of such incorporated village or city shall pass a resolution to submit such question to the people, notice thereof shall be given in some newspaper of general circulation therein, at least ten days prior to such election, and those voting therefor shall have written or printed on their ballots the words "For Fire Bonds, yes;" and those voting against, the words, "For Fire Bonds, no."

To number section 2, "section 3."

THEO. MARSH, R. G. RICHARDS,
JAMES B. STEEDMAN, G. M. SALTZGABER,
GEO. W. WILSON, G. A. GROVE,
LYMAN J. JACKSON.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Benson submitted the following report:

The standing committee on Drains and Drainage, to whom was referred S. B. No. 65—To aid in improving the drainage of the lands in and adjacent to the Scioto marsh in Hardin county, Ohio—

Having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

In section 3, line 1, strike out the word "two," and insert "three."

In line 2, after the word "county," insert "one of whom shall be an engineer."

In line 10, after the word "bidders," add "reserving the right to reject any or all bids."

In section 4, strike out all of line 1, and to the word "ascertain," in line 2, and insert, " that said ditch commissioners shall."

In line 4, same section, strike out "and report the same to said ditch commissioners who," and insert in lieu thereof the word "and."

In line 13, strike out the words "and said report of the engineer."

In line 18, strike out the word "six," and insert "twelve disinterested."

In section 5, line 5, after the word "done," insert, less ten per cent., to be reserved until final completion of the work, as additional security for the faithful performance of contract."

Section 6, line 7, strike out the word "equally," and after the word "land" insert, "in proportion to the benefits derived."

Strike out the word "so," in line 7, and "benefited" in line 8.

Strike out all of section 7.

JOHN H. BENSON, W. H. STOKES,
JOHN C. MCDONALD, THOS. S. JACKSON.

Said amendments were agreed to, and the bill was ordered to be engrossed, and read the third time to-morrow.

On motion of Mr. Krimmel, the Senate went into committee of the whole for the consideration of S. B. No. 115, and after some time spent therein, arose, reported progress, and asked leave to sit again.

Which was granted.

Mr. Howland presented the petition of Geo. Willard and 49 other citizens of Ashtabula village, asking the passage of an act authorizing them to levy a tax and issue bonds to the amount of $15,000 for the improvement of Ashtabula harbor, in said village.

Which was laid on the table.

Mr. Howland presented the petition of Henry Hubbard and 100 other citizens of Ashtabula village, asking the passage of an act authorizing the village of Ashtabula to levy a tax and issue $15,000 in bonds for the improvement of Ashtabula harbor.

Which was laid on the table.

Mr. Krimmel submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled the following bill:

H. B. No. 21—To amend section 2 of an act entitled "An act for the better security of head contractors and material men," and to repeal certain acts therein named, (O. L., vol. 74, p. 168).

C. R. HARMON, E. S. PERKINS,
DUNCAN DOW, WM. JESSUP,
F. M. CARTER, A. D. MARSH,
J. W. WASHBURN, C. F. KRIMMEL.

Mr. Armstrong submitted the following report:

The special committee of four to whom H. B. No. 11 was referred, report it back, with the recommendation that it pass, with the following amendments:

At the end of section 2, insert: "Said board shall meet, for the transaction of business, upon some particular day of each week, to be designated by the board, and at such other times as they may think necessary."

In section 4, line 19, after the word "understandingly," insert: "And every member of said police, while on duty, shall wear a uniform to be prescribed by the board, and shall at all times, in public, wear a badge of his office, to be furnished by the board."

In section 16, line 2, after "appoint," insert the words, "and discharge at pleasure."

In section 16, line 4, after word "employ," insert, "and discharge at pleasure."

J. M. Armstrong,
W. T. Forrest,
Theo. Marsh.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

H. B. No. 21—Mr. Reed, of Ross—To amend section 2 of an act entitled an act for the better security of head contractors and material men, and to repeal certain acts therein named, (O. L., vol. 74, page 168).

Attest: L. A. Brunner, *Clerk.*

The President, in presence of the Senate, signed said bill.

Mr. Stokes, on leave, introduced the following bill, which was read the first time:

S. B. No. 144—To amend section 9 of an act entitled "an act supplementary to an act entitled 'an act to provide for the creation and regulation of incorporated companies in the State of Ohio,'" passed May 1, 1852, passed April 15, 1867, (S. & S., 186,) as amended February 25, 1869, (O. L., vol. 66, page 11,) as amended April 20, 1874, as amended March 12, 1877.

Mr. Saltzgaber moved that H. B. No. 85 be taken from the table.

Which was agreed to.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 24, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Dungan, Forrest, Grove, Howland, Jackson of Perry, Johnston, Kelley, Marsh, McDonald, Owens, Parker, Richards, Saltzgaber, Stokes, Tyler, Wagener, Williams and Wilson—24.

So the bill was passed. The title was agreed to.

Mr. Johnston submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 40—

Having had the same under consideration, report the accompanying substitute, and recommend the passage thereof.

Sub. for S. B. No. 40—A bill to amend section 7 of chapter 2, title 2 code of criminal procedure, (O. L., vol. 74, page 289).

Section 1. *Be it enacted by the General Assembly of the State of Ohio*, That said section 7 be so amended as to read as follows:

Section 7. Whoever, by any false pretense, with intent to defraud, obtains from any person anything of value, or procures the signature of any person, as maker, indorser or guarantor thereof, to any bond, bill, receipt, promissory note, draft or check, or any other evidence of indebtedness, and whosoever shall sell, barter or dispose of, or offer to sell, barter or dispose of, any bond, bill, receipt, promissory note, draft or check, knowing the signature of the maker, indorser or guarantor thereof to have been obtained by any false pretense, as aforesaid, shall, if the value of the property is $35 or more, or if the note so procured, sold, bartered or disposed of, or offered to be sold bartered, or disposed of, shall call for the payment of $35 or more, be imprisoned in the penitentiary not more than three years nor less than one year; or if the value is less than that sum, or such note calls for an amount less than that sum, be fined not more than $100 nor less than $10, or imprisoned not more than sixty nor less than ten days, or both.

Section 2. That said section 7 be, and the same is hereby, repealed, and this act shall take effect and be in force from and after its passage.

W. P. Howland, W. T. Forrest,
Irvine Dungan, D. Wagener,
G. M. Saltzgaber, Lyman J. Jackson.

Said substitute was agreed to, and the same was ordered to be laid upon the table and printed.

Mr. Richards, on leave, introduced the following bill, which was read the first time:

S. B. No. 145—To divide the township of Perry, county of Columbiana, into two election precincts, and to repeal a certain act therein named.

Mr. Howland moved that S. B. No. 103 be taken from the table.

Which was agreed to.

Said bill was ordered to be read the third time, and was then read.

Mr. Howland, moved to refer the bill to a select committee of one, with instructions to amend as follows:

Section 4, line 4, strike out the words "a majority," and insert the words "three-fifths."

Which was agreed to, and Mr. Howland was appointed such committee.

Mr. Howland, on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No. 103, with instructions to amend, reports the same back amended as instructed.

W. P. Howland.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 27, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Dungan, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston,

Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Stokes, Tyler, Wagener and Williams—27.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill in which the concurrence of the Senate is requested:

S. B. No. 282—Mr. Stubbs—To compel owners of hedge fences or partition lines, and along public highways, to keep the same within certain limits.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 132—To authorize the commissioners of Belmont county to levy a special tax for purposes therein named—

Having had the same under consideration, report it back, and recommend its passage.

W. T. FORREST, D. WAGENER,
J. R. JOHNSTON, W. P. HOWLAND,
LYMAN J. JACKSON, G. M. SALTZGABER,
IRVINE DUNGAN.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Forrest moved that S. B. No. 55 be taken from the table and placed upon the calendar for third reading to-morrow.

Which was agreed to.

Mr. Saltzgaber moved that S. J. R. No. 23 be taken from the table.

Which was agreed to.

Mr. Saltzgaber moved that said joint resolution be laid upon the table and ordered to be printed.

Which was agreed to.

Mr. Howland moved that the petitions of George Williard and 49 others, and of Henry Hubbard and 100 others, in reference to the issue of $15,000 in bonds, for the improvement of Ashtabula harbor, be taken from the table.

Which was agreed to.

Mr. Howland asked leave to withdraw said petitions.

Which was granted.

On motion of Mr. Owens the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

SATURDAY, MARCH 16, 1878—10 O'CLOCK A. M.

The Senate met pursuant to adjournment.

Prayer by Rev. J. F. Hamilton.

The Journal was read and approved.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 195—Mr. Marsh—Supplementary to an act entitled "An act to amend section 5 of an act entitled an act to amend an act relating to the reorganization of courts of justice, and their powers and duties." passed March 14, 1853, passed April 29, 1854, (O. L., vol. 52, p. 73.)

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of Senate amendments to—

H. B. No. 85—Mr. Washburn—To regulate the payment of certain costs in criminal cases.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill in which the concurrence of the Senate is requested:

H. B. No. 252—Mr. Poe—To amend section 612 of the code of civil procedure, (S. & C. 1136.)

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Beer presented the remonstrance of Calvin Parker, and 38 other citizens of Montgomery township, Ashland county, against the division of school district No. 6, of that township, as proposed by H. B. No. 233.

Which was referred to the committee on Schools and School Lands.

Mr. Saltzgaber offered the following joint resolution:

S. J. R. No. 36—*Be it resolved by the General Assembly of the State of Ohio,* That there be printed for use and distribution by members of the General Assembly, two thousand extra copies of—

S. B. No. 141—Mr. Jackson—Proposing a change in the Judiciary system of the State.

The question being on the adoption of said joint resolution, the yeas and nays were taken, and resulted—yeas 27, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Krimmel, Lord, Marsh McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Tyler, Wagener and Williams—27.

So said joint resolution was adopted.

Bills were read the second time and referred as follows:

H. B. No. 273—Mr. Estill—To amend section 11 of an act entitled "An act relating to jurors," passed March 9, 1876.

To committee on Judiciary.

H. B. No. 262—Mr. Sage—Supplementary to an act entitled "An act to provide for the straightening, clearing out, widening, deepening and otherwise improving certain ditches, drains and water courses in Wood county, Ohio," passed April 11, 1876, (O. L., vol. 63, p. 303.)

To committee on Drains and Drainage.

H. B. No. 257—Mr. McCoy of Wayne—To authorize the incorporated village of Marshallville, in Wayne county, Ohio, to borrow money for the purchase of a fire engine and apparatus, the construction of cisterns, the purchase of a lot and the erection of an engine house.

To committee on Finance.

Substitute for H. B. No. 106—Mr. Levering—To amend an act entitled "An act for the protection of wool growers, and the confiscation of dogs," passed May 5, and took effect June 1, 1877, (O. L., vol. 74, p. 177.)

To committee on Judiciary.

H. B. No. 164—Mr. Dow—To amend section 9 of an act entitled "An act supplementary to an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio," passed May 1, 1852, passed April 15, 1867, (Swan & Sayler, 186); as amended February 25, 1869, (Ohio Laws, volume 66, page 11); as amended April 20, 1874, (O. L., vol. 71, p. 161); as amended April 11, 1876, (O. L., vol. 73, p. 188); as amended March 12, 1877, (O. L., vol. 74, p. 38.)

To the committee on Judiciary.

H. B. No. 215—Mr. Dawson—To authorize the council of the incorporated village of Leesburg, Highland county, to issue bonds and borrow money for the erection of public buildings, and to transfer certain funds for said purpose.

To committee on Municipal Corporations.

H. B. No. 240—Mr. Clough—To amend an act entitled "An act supplementary to an act entitled an act to provide for the organization and government of municipal corporations," passed May 7, 1869, passed April 28, 1873, (O. L., vol. 70, p. 179.)

To committee on Municipal Corporations.

H. B. No. 167—Mr. Worley—To transfer territory from Paris special school district to Paris township school district, Stark county, Ohio.

To committee on Common Schools and School Lands.

H. B. No. 133—Mr. Parker—To amend an act entitled "An act requiring compensation for causing death by wrongful acts, neglect or default, passed March 25, 1851, and to repeal the act amending said act," passed March 7, 1872, (Volume 69, page 22, Ohio Laws.)

To committee on Finance.

S. B. No. 134—Mr. Sherrick—To amend section 4 of an act entitled "An act for the relief of the poor, and to repeal certain acts therein named," passed April 12, 1876, (O. L., vol. 73, p. 234.)

To committee on Benevolent Institutions.

S. B. No. 135—Mr. Steedman—To create a board of control in cities of the first-class which have been advanced to that grade between decennial periods.

To committee on Municipal Corporations.

S. B. No. 136—Mr. Richards—For the relief of Richard Cochrane.

To committee on Finance.

S. B. No. 137—Mr. Lord—To regulate the sale of mineral oils and other substances for illuminating purposes, and to repeal certain acts therein named, (O. L., vol. 69, pp. 161, 162 and 163.)

To committee on Geological Survey.

S. B. No. 138—Mr. Forrest—For the better protection of lives and property against accidents occasioned by steam, and to prohibit unqualified persons from managing or controlling stationery steam boilers, engines and apparatus.

To committee on Manufactures and Commerce.

S. B. No. 139—Mr. Sabine—To allow the qualified electors of incorporated villages to vote for or against requiring the trustees or council of incorporated villages to regulate, restrain and prohibit ale, beer and porter houses or shops, or places of notorious and habitual resort for tippling and intemperance therein.

To committee on Sanitary Laws and Regulations.

S. B. No. 140—Mr. Forrest—Supplementary to the acts passed February 24, 1876, and April 24, 1877, supplementary to the act relating to cities of the first-class, having a population exceeding 150,000 inhabitants, passed May 4, 1869, (O. L., vol. 66, p. 88.)

To committee on Judiciary.

H. B. No. 253—Mr. Greene—Supplementary to the acts relating to criminal procedure.

To committee on Judiciary.

H. B. No. 282—Mr. Stubbs—To compel owners of hedge fences or partition lines and along public highways to keep the same within certain limits.

To committee on Agriculture.

S. B. No. 53—Mr. Lord—To provide for the cleaning of streets in cities of the first-class, having a population of more than 200,000, and to repeal an act therein named.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 27, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—27.

Those who voted in the negative were—

Messrs. Forrest and Johnston—2.

So the bill was passed.

Mr. Marsh moved to amend the title by adding thereto the words "and control."

Which was agreed to.

The title, as amended, was then agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 96—Mr. Williams—To reorganize the institution for the education of the deaf and dumb.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the adoption of the following joint resolution:

S. J. R. No. 36—Mr. Saltzgaber—Providing for the printing of 2,000 extra copies of S. B. No. 14—Mr. Jackson of Perry.

Attest: L. A. BRUNNER, *Clerk.*

S. B. No. 34—Mr. Forrest—To revise and codify the laws relating to the organization and maintenance of the militia of Ohio.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 28, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Stokes, Tyler, Wagener, Williams and Wilson—28.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill in which the concurrence of the Senate is requested:

H. B. No. 294—Mr. Hume—For the relief of H. V. Dingman and H. H. Sprague.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of—

S. B. No. 72—Mr. Richards—To authorize the Secretary of State to reissue charters of incorporations which have been lost or destroyed.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 16th day of March, 1878.

To the Senate:

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint General James B. Steedman, of Lucas county, to be trustee of the Soldiers' and Sailors' Orphans' Home, for the unexpired term of R. P. Buckland, resigned.

Very respectfully,

RICHARD M. BISHOP, *Governor.*

Mr. Marsh moved that the Senate advise and consent to said appointment of James B. Steedman.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 26, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sabine, Seitz, Stokes, Tyler, Wagener and Wilson—26.

So the Senate advised and consented to said appointment.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled the following bill:

H. B. No. 85—To regulate the payment of certain costs in criminal cases.

J. W. Washburn, F. M. Carter,
Wm. Jessup, C. R. Harmon,
Duncan Dow, E. S. Perkins,
Irvine Dungan.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

H. B. No. 85—Mr. Washburn—To regulate the payment of certain costs in criminal cases.

Attest: L. A. Brunner, *Clerk.*

H. B. No. 109—Mr. Monahan—To destroy hawks, rats, and mice, in the State of Ohio.

Was read the third time.

Mr. Beer moved to refer the bill to a select committee of one with instructions to amend as follows:

After the word "clerk" in sec. 3, line 4, add, "shall be required to keep a hogshead of brine to preserve the same."

Which was disagreed to.

Mr. Forrest moved to refer the bill to a select committee of one, with instructions to amend as follows:

"Strike out the words "and foxes," in line 6, sec. 1, and insert the word "and" after the word "hawks."

Which was disagreed to.

Mr. Seitz moved that the Senate take a recess.

Mr. Marsh moved that the Senate adjourn.

On which motion, the yeas and nays were demanded, taken, and resulted—yeas 7, nays 18, as follows:

Those who voted in the affirmative were—

Messrs. Beer, Curtiss, Johnston, Krimmel, Marsh, Owens and Richards—7.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Dungan, Forrest, Grove, Irvine Jackson of Clinton, Jackson of Perry, Lord, Sabine, Seitz, Stokes, Tyler, Wagener and Wilson—18.

So the motion to adjourn was disagreed to.

The question recurring on the motion to take a recess—
The same was agreed to.

THREE O'CLOCK, P. M.

When the Senate took a recess it had under consideration H. B. No. 109.

Mr. Carlisle moved that the further consideration of said bill be postponed until Tuesday next.

Which was agreed to.

Mr. Lord moved that the committee on Finance be discharged from the consideration of S. B. No. 126, and that the committee on the Judiciary be discharged from the consideration of S. B. No. 140.

Which was agreed to.

On motion of Mr. Lord, said bills (S. B. No. 126, and S. B. No. 140,) were referred to a special committee of fourteen, consisting of the members of the Judiciary and Finance committees.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of—

S. B. No. 10—Mr. Marsh—To amend section 11, of chapter 8, to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, known as title 1, crimes and offenses, part 4, of the act to revise and consolidate the general statutes of Ohio, passed May 5, 1877, (vol. 74, O. L., p. 268)—

With the following amendments, in which the concurrence of the Senate is requested:

Sec. 1, line 2, after the word "Ohio," insert "that sec. 11, of chapter 8, of the act to revise, amend and consolidate the statutes, relating to crimes and offenses, passed May 5, 1877, be so amended as to read as follows: Sec. 11. Change sec. 2 to sec. 3, and insert the following as sec. 2: Provided, that the State may require any person to testify as to any violation of this act, and such person so having been called shall not be liable to trial for any offense concerning which has been called."

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Forrest, the consideration of said House amendments was postponed until Tuesday next.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 129—Mr. Reed of Ross—Supplementary to an act entitled "An act providing for converting toll roads," passed May 3, 1875, (O. L., vol. 70, p. 256).

H. B. No. 67—Mr. Boyce—To reduce fees and salaries of county officers.

H. B. No. 300—Mr. White—To authorize a contract with reference to a new school house.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 285—Mr. Dempcy—To amend an act entitled "An act to amend section 34 of an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio," passed May 1, 1872, (S. & C., 295, O. L., 74, p. 180), passed May 7, 1877.

H. B. No. 261—Mr. Douglass—To amend an act entitled "An act to provide for the erection of a town hall and place for holding elections, in the town of Vermillion, Erie county, Ohio," passed April 12, 1869, (vol. 66, pp. 376–377).

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of—

S. B. No. 74– Mr. Jackson of Clinton—To amend sections 5 and 6 of an act entitled "An act relating to roads and highways," passed March 9, 1868, (O. L., vol. 65, p. 16).

Attest: L. A. BRUNNER, *Clerk.*

H. B. No. 205—Mr. Hayman—To establish a uniform standard of weights and measures—

Was read the third time.

Mr. Beer moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out, in section 2, line 4, the words "twenty-five" and insert "ten."

Also, strike out all after the word "from," in line 5, same section, to the word "as" in line 7, and insert in lieu thereof "such county or counties in the State."

Which was disagreed to.

Mr. Dungan moved that the further consideration of said bill be postponed until Tuesday next.

Which was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 4, nays 14, as follows:

Those who voted in the affirmative were—

Messrs. Carlisle, Dungan, McDonald and Tyler—4.

Those who voted in the negative were—

Messrs. Armstrong, Beer, Benson, Carson, Forrest, Grove, Irvine, Johnston, Krimmel, Lord, Marsh, Owens, Richards, Wagener—14.

So the bill, having failed to receive a constitutional majority, was lost.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of—

S. B. No. 75—Mr. Saltzgaber—For the relief of James Webster and L. H. Wise.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 301—Mr. Reed of Trumbull—To amend section 28 of an act entitled "An act relating to roads and highways," passed April 11, 1876, (O. L., vol. 73, p. 185).

H. B. 284—Mr. Luccock—To authorize the trustees of the parsonage of the East Plainfield circuit, Methodist Episcopal Church, Coshocton county, to sell certain land.

H. B. No. 159—Mr. Rimer—To authorize the creation of a special school district in Harrison township, Van Wert county, Ohio.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 335—To amend sections 11 and 12 of an act entitled "An act supp,ementary and amendatory of the act entitled an act to amend sections 2, 4 and 24 of an act to preserve the purity of elections," passed May 7, 1877, (O. L., vol. 74, p. 211)—

Having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH, R. G. RICHARDS,
G. W. WILSON, LYMAN J. JACKSON.

Said bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 99—To amend an act fixing the rate of interest, passed February 18, 1848, took effect March 1, 1848, passed January 12, 1844, (S. & C., p. 744)—

Having had the same under consideration, report it back, and recommend its indefinite postponement.

W. T. FORREST, LYMAN J. JACKSON,
IRVINE DUNGAN, G. M. SALTZGABER.

Said report was disagreed to.

The bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. J. R. No. 17--Proposing an amendment of section 18 of the schedule of the tive to the provision as to intoxicating liquors—

Having had the same under consideration, report it back, without recommendation.

W. T. Forrest, Lyman J. Jackson,
J. R. Johnston, Irvine Dungan,
G. M. Saltzgaber.

Mr. Johnston moved that said report be laid upon the table.

Which was agreed to.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. J. R. No. 33—Relative to an amendment of section 4, article 10, of the constitution of the State of Ohio—

Having had the same under consideration, report it back without recommendation.

W. T. Forrest, Irvine Dungan,
Lyman J. Jackson, G. M. Saltzgaber,
J. R. Johnston.

Mr. Forrest moved that said report be laid upon the table.

Which was agreed to.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 130—To facilitate the administration of justice, and to repeal an act passed March 27, 1875, (O. L., v. 72, p. 88)—

Having had the same under consideration, report it back, and recommend its indefinite postponement.

W. T. Forrest, Lyman J. Jackson,
J. R. Johnston, Irvine Dungan,
G. M. Saltzgaber.

Said report of the committee was disagreed to.

Said bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. J. R. No. 19—To provide for holding general elections in November, and for biennial elections—

Having had the same under consideration report it back, without recommendation.

W. T. Forrest, Lyman J. Jackson,
J. R. Johnston, Irvine Dungan,
G. M. Saltzgaber.

Mr. Johnston moved that said report be laid upon the table.

Which was agreed to.

Mr. Dungan submitted the following report:

The joint committee on Enrollment have examined and found correctly enrolled the following joint resolution:

S. J. R. No. 36—Providing for the printing of 2,000 extra copies of S. B. No. 141, by Mr. Jackson of Perry.

IRVINE DUNGAN, R. G. RICHARDS,
J. R. JOHNSTON, C. F. KRIMMEL,
J. W. WASHBURN, A. D. MARSH.

Mr. Forrest presented the memorial of F. H. Oehlmann and 45 other citizens of Westwood, Hamilton county, praying for a change in the school laws, so as to allow the German language to be taught in the common school of that corporation.

Which was referred to the committee on Common Schools and School Lands.

On motion of Mr. Beer, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

MONDAY, MARCH 18, 1878—10 o'clock A. M.

The Senate met pursuant to adjournment.

Prayer by Rev. E. K. Squier.

The Journal was read and approved.

Bills were read the second time and referred as follows:

S. B. No. 141—Mr. Jackson—To change the common pleas districts of the State, and to give greater efficiency to the common pleas and district courts.

To committee on Judiciary.

S. B. No. 142—Mr. Howland—To amend section 10 of an act entitled an act for the better security of head contractors, sub-contractors and material men, and to repeal certain acts therein named, (Laws 1877, page 168).

To committee on Judiciary.

S. B. No. 144—Mr. Stokes—To amend section 9 of an act entitled an act supplementary to an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed May 1, 1852; passed April 15, 1867, (Swan & Sayler, 186); as amended February 25, 1869, (O. L., vol. 66, page 11); as amended April 20, 1874, (O. L., vol. 71, page 161); as amended April 11, 1876, (O. L., vol. —, page 188); and amendment as amended March 12, 1877, (O. L., 1874, page 38).

To committee on Corporations other than Municipal.

S. B. No. 145—Mr. Richards—To divide the township of Perry, county of Columbiana, into two election precincts, and to repeal a certain act therein named.

Said bill was ordered to be engrossed and read the third time to-morrow.

H. B. No. 195—Mr. Marsh—Supplementary to an act entitled "an act to amend section 5 of an act entitled 'an act to amend an act relating to the reorganization of courts of justice, and their powers and duties,'" passed March 14, 1853, passed April 29, 1854, (O. L., vol. 52. page 73).

To committee on Judiciary.

H. B. No. 252—Mr. Poe—To authorize the appointment of master commissioners, and prescribing their duties and powers.

To committee on Judiciary.

H. B. No. 96—Mr. Williams—To reorganize the institution for the education of the deaf and dumb.

To committee on Benevolent Institutions.

H. B. No. 294—Mr. Hume—For the relief of D. V. Dingman and H. H. Sprague.

To committee on Claims.

H. B. No. 129—Mr. Reed, of Ross—Supplementary to an act entitled "an act providing for converting toll roads," passed May 3, 1875, (O. L., vol. 70, page 256).

To committee on Roads and Highways.

H. B. No. 67—Mr. Boyce—To reduce fees and salaries of county officers.

To committee on Fees and Salaries.

H. B. No. 300—Mr. White—To authorize a contract with reference to a new school house.

To committee on Schools and School Lands.

H. B. No. 285—Mr. Dempcy—To amend an act entitled "an act to amend section 34 of an act entitled 'an act to provide for the creation and regulation of incorporated companies in the State of Ohio,'" passed May 1, 1872, (Swan and Critchfield, 295; Ohio Laws, 74, page 180,) passed May 7, 1877.

To committee on Roads and Highways.

H. B. No. 284—Mr. Luccock—To authorize the trustees of the parsonage of the East Plainfield circuit Methodist Episcopal church, Coshocton county, to sell certain land.

To committee on Corporations other than Municipal.

H. B. No. 159—Mr. Rimer—To authorize the creation of a special school district in Harrison township, Van Wert county, O.

To committee on Common Schools and School Lands.

H. B. No. 301—Mr. Reed, of Trumbull—To amend section 28 of an act entitled "an act relating to roads and highways," passed April 11, 1876, (O. L., vol. 73, page 185).

To committee on Roads and Highways.

H. B. No. 261—Mr. Douglass—To amend an act entitled "an act to provide for the erection of a town hall and place for holding elections, in the town of Vermillion, Erie county, Ohio," passed April 12, 1869,(vol. 66, page 376–377).

Mr. Forrest moved that said bill be referred to a select committee of one.

Which was agreed to.

The President appointed Mr. Parker as such committee.

On motion of Mr. Forrest, the Senate went into committee of the whole, for the consideration of S. B. No. 115, and, after some time spent therein, arose, reported progress, and asked leave to sit again.

Which was granted.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following joint resolution:

S. J. R. No. 36—Mr. Saltzgaber—Providing for the printing of 2,000 extra copies of S. B. No. 141—Mr Jackson of Perry.

Attest: L. A. BRUNNER, *Clerk.*

The President *pro tem.*, in presence of the Senate, signed said joint resolution.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 293—Mr. Levering—To amend section 35 of the act of May 1, 1873, (70 volume, 195,) entitled "an act for the reorganization and maintenance of common schools."

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Seitz presented the remonstrance W. H. Brinkerhoff and 185 other citizens of Wyandot county, against any modification of the "Adair liquor law" which shall impair its efficiency.

Which was referred to the committee on Sanitary Laws and Regulations.

Mr. Krimmel submitted the following report:

The joint committee on Enrollment have examined and found correctly enrolled the following bills:

S. B. No. 74—An act to amend sections 5 and 6 of an act entitled "an act relating to roads and highways," passed March 9, 1868, (vol. 65, page 16, Laws of Ohio.)

S. B. No. 75—An act for the relief of James Webster and L. H. Wise.

C. F. KRIMMEL, J. W. WASHBURN,
IRVINE DUNGAN, A. D. MARSH,
R. G. RICHARDS, WM. JESSUP.

On motion of Mr. Saltzgaber, the Senate took a recess.

THREE O'CLOCK P. M.

Mr. Forrest offered the following joint resolution:

S. J. R. No. 37—WHEREAS, The trustees of the Cincinnati Southern railway have made application to this General Assembly for authority to issue additional bonds to the amount of $2,000,000, to be used in the completion of said road, and

WHEREAS, It is asserted that great loss may ensue if the asked-for permission be not given, and said road shall, in consequence, remain in an unfinished condition; and

WHEREAS, In view of the peculiar position of affairs, immediate action is required; and

WHEREAS, This General Assembly desires to be advised by the electors of the city of Cincinnati as to whether, under judicious restrictions, they favor the legislation prayed for, therefore,

Be it resolved by the General Assembly of the State of Ohio, That the question of a further issue of bonds, for the completion of the Cincinnati Southern railway, be, and the same is hereby, submitted to a vote of the qualified electors of the city of Cincinnati, at the municipal election to be held in said city on Monday, April 1, 1878; that the ballots at said election, voted in favor of such issue, shall have written or printed thereon, "Issue bonds for the completion of Cincinnati Southern railway, with present trustees, $2,000,000—Yes;" "Issue bonds for the completion of the Cincinnati Southern railway, with change of trustees,

$2,000,000—Yes;" and all those voted against the same shall have written or printed thereon, "Issue bonds for completion of the Cincinnati Southern railway, $2,000,000—No."

Resolved, That, immediately after the adoption of this joint resolution, the Secretary of State of the State of Ohio shall transmit a duly authenticated copy thereof to the mayor of said city of Cincinnati, who shall at once issue his proclamation notifying the electors of said city that said loan will be voted for or against at the April election, 1878.

Mr. Tyler gave notice of his intention to discuss said joint resolution, and it went over, under the rule.

Mr. Forrest moved that the rule requiring resolutions to lie over one day, under notice to discuss, be dispensed with, that said joint resolution might be considered.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 12, nays 13, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Curtiss, Fisher, Forrest, Grove, Jackson of Clinton, McDonald, Richards, Stokes and Wagener—12.

Those who voted in the negative were—

Messrs. Benson, Dungan, Irvine, Kelley, Krimmel, Lord, Owens, Sabine, Saltzgaber, Seitz, Sherrick, Tyler and Wilson—13.

So the motion was disagreed to.

Mr. Forrest moved that said joint resolution be ordered printed in advance of other matter.

Which was agreed to.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills:

H. B. No. 248—Authorizing the trustees of Ridgeville township, Lorain county, Ohio, to transfer certain funds therein named to the general fund of said township.

H. B. No. 166—To divide Greenfield township, Fairfield county, into two election precincts.

H. B. No. 12—To amend sections 18, 19 and 20 of an act for the reorganization and maintenance of common schools, (O. L., vol. 70, 1873, pages 198 and 199,) passed May 1, 1873.

WM. JESSUP, F. M. CARTER,
C. R. HARMON, DUNCAN DOW,
J. W. WASHBURN, IRVINE DUNGAN.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

S. B. No. 74—Mr. Jackson of Clinton—To amend sections 5 and 6 of an act entitled "An act relating to roads and highways," passed March 9, 1868, (O. L., v. 65, p. 16).

S. B. No. 75—Mr. Saltzgaber—For the relief of James Webster and L. H. Wise.

Attest: L. A. BRUNNER, *Clerk.*

The President, *pro. tem.*, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 12—Mr. Bohl—To amend sections 18, 19 and 20 of an act for the reorganization and maintenance of common schools, (O. L., v. 70, 1873, pp. 198–9), passed May 1, 1873.

H. B. No. 248—Mr. Herrick—Authorizing the trustees of Ridgeville township, Lorain county, Ohio, to transfer certain funds therein named to the general fund of said township.

H. B. No. 166—Mr. Seifert—To divide Greenfield township, Fairfield county, into two election precincts.

Attest: L. A. BRUNNER, *Clerk.*

The President *pro tem.*, in presence of the Senate, signed said bills.

Mr. Fisher moved that S. B. No. 91 be postponed, and placed on the calendar for third reading on Thursday next.

Which was agreed to.

Mr. Fisher asked and obtained leave of absence for Mr. Carlisle for to-day and to-morrow, on account of sickness.

H. B. No. 75—Mr. Palmer—To establish a sub-school district in Olmstead township, Cuyahoga county.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 20, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Curtiss, Dungan, Fisher, Forrest, Grove, Jackson of Clinton, Kelley, Lord, McDonald, Owens, Sabine, Sherrick, Stokes, Tyler, Wagener and Wilson—20.

Messrs. Irvine and Seitz voted in the negative—2.

So the bill was passed. The title was agreed to.

S. B. No. 120—Mr. Tyler—For the relief of W. J. Jacobs and his sureties.

Was read the third time.

Mr. Sherrick moved to refer said bill to a select committee of one, with instructions to amend as follows:

In line 15, section 1, strike out the words "a majority of," and insert instead thereof the words "two-thirds of the."

Which was agreed to, and Mr. Sherrick was appointed such select committee.

Mr. Sherrick, on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No. 120, with instructions to amend, reports the same back amended as instructed.

JOHNSON SHERRICK.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer. Benson, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Kelley, Krimmel, Lord, McDonald, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Stokes, Tyler and Wilson—23.

Mr. Owens voted in the negative--1.

So the bill was passed. The title was agreed to.

H B. No. 89—Mr. Norton—To authorize incorporated villages and cities to purchase steam fire engines.

Was read the third time

On demand of Mr. Forrest, a call of the Senate was had.

Leave of absence was asked for and obtained for Mr. Johnston, until Wednesday next.

Leave of absence was asked for and obtained for Messrs. Howland and Steedman until to-morrow.

Messrs. Carson, Jackson of Perry, Marsh, Parker and Williams were absent.

On motion of Mr. Forrest, further proceedings under the call were dispensed with.

The question recurring on the passage of H. B. No. 89—

Mr. Richards moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 22, of section 1, insert after the word "majority," the words "of two-thirds."

Which was agreed to, and Mr. Richards was appointed such committee.

Mr. Richards, on leave, submitted the following report:

The select committee of one, to whom was referred H. B. No. 89, with instructions to amend, reports the same back amended as instructed.

R. G. Richards.

The question being, "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 21, nays 3, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Curtiss, Dungan, Forrest, Grove, Irvine, Jackson of Clinton, Krimmel, Lord, McDonald, Parker, Richards, Sabine, Saltzgaber, Seitz, Stokes, Wagener and Wilson—21.

Those who voted in the negative were—

Messrs. Fisher, Kelley and Owens—3.

So the bill was passed. The title was agreed to.

Mr. Sabine moved that the third reading of S. B. No. 65 be postponed until Wednesday next, and that said bill as amended, be printed.

Which was agreed to.

H. B. No. 11—Mr. Wright—To provide for the better regulation of the police in certain cities of the first-class, and to repeal certain acts therein named.

Was read the third time.

Mr. Owens moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out all of section 1 and insert the following:

"Section 1—*Be it enacted by the General Assembly of the State of Ohio*, That in all cities of the first class having at the last federal census a population of 200,000 and over, the police powers and duties shall be vested in and exercised by a board of seven members, to be known as the board of police commissioners. Said board of police commissioners shall be composed of the mayor of said city, who shall be a member and ex-officio president of said board, and six members, who shall be electors of said city, to be elected at large by the qualified voters of said city, the one receiving the highest number of votes, to serve for six years; the

one receiving the next highest number of votes, to serve for five years; the one receiving the next highest number of votes, to serve for four years; the one receiving the next highest number of votes to serve for three years; the one receiving the next number of votes, to serve for two years, and the one receiving the next highest number of votes, to serve for one year; and annually thereafter at the spring election, one member of said board shall be elected at large by the qualified voters of said city, to serve for six years. Vacencies in said board shall be filled by the mayor of said city, by and with the consent of the board of common council; such appointee to hold office until the next regular municipal election, when the vacancy shall be filled by election. Any one of said commissioners, who, during the term of his office, shall accept any other place of public trust or emolument, or who, during the same period, shall, knowingly receive any nomination for an office elective by the people, without publicly declining the same within twenty days succeeding said nomination, shall be deemed to have thereby vacated his office. For official misconduct, any of said commissioners may be removed by the vote of two-thirds of the members elected to each branch of the common council of said city. The usual notice of such election is hereby dispensed with, and it shall only be necessary for the mayor of such city to issue his proclamation on any day after the passage of this act, before the day of election.

Mr. Forrest moved that the Senate take a recess until to-morrow morning at 10 o'clock.

Which was agreed to.

TUESDAY, MARCH 19, 1878—10 o'clock A. M.

The Senate met pursuant to recess.

Prayer by Rev. E. K. Squire

When the Senate took a recess, it had under consideration H. B. No. 11, the pending question being on Mr. Owens' motion to refer with instructions to amend.

On demand of Mr. Forrest, a call of the Senate was had.

Messrs. Joy, Krimmel and Saltzgaber were absent.

Leave of absence was asked and obtained for Mr. Saltzgaber.

Messrs. Joy and Krimmel appeared within the bar of the Senate and answered to their names.

On motion of Mr. Benson, further proceedings under the call were dispensed with.

The question recurring on Mr. Owens' motion to refer with instructions to amend, the yeas and nays were demanded, taken and resulted—yeas 13, nays 18, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Carson, Curtiss, Fisher, Irvine, Jackson of Clinton, Kelley, Owens, Richards, Sabine, Seitz and Wilson—13.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Dungan, Forrest, Grove, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Parker, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—18.

So the motion was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 19, nays 14, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Forrest, Grove, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Parker, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—17.

Those who voted in the negative were—

Messrs. Beebe, Beer, Carson, Curtiss, Dungan, Fisher, Irvine, Jackson of Clinton, Kelley, Owens, Richards, Sabine, Seitz and Wilson—14.

So the bill having failed to receive a constitutional majority was lost.

S. B. No. 132—Mr. Wagener—To authorize the commissioners of Belmont county, to levy a special tax for purposes therein named.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 30, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—30.

So the bill was passed. The title was agreed to.

Sub. for S. B. No. 55—Mr. Forrest—To provide for the better regulation of sales on execution and orders of sale.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 27, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—27.

So the bill was passed. The title was agreed to.

Mr. Richards, on leave, introduced the following bill, which was read the first time:

S. B. No. 146—In relation to the prevention of cruelty to children, and to repeal a certain act therein named.

Mr. Beer, on leave, introduced the following bill, which was read the first time:

S. B. No. 147—Relating to county surveyors.

Mr. Grove, on leave, introduced the following bill, which was read the first time:

S. B. No. 148—Relating to offenses against chastity and morality.

Mr. Armstrong, on leave, introduced the following bills, which were read the first time:

S. B. No. 149—To authorize the board of trustees of the Cincinnati hospital to establish a branch hospital for the accommodation of persons afflicted with contagious diseases.

S. B. No. 150—To amend sec. 4, of "An act regulating the commercial hospital of Cincinnati," passed March 11, 1861, and to repeal certain amendments thereto made.

Mr. Forrest moved that the Senate adjourn for five minutes.

Which was disagreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 366—Mr. Bohl—To divide Little Muskingum precinct, in Marietta township, Washington county, into two election precincts.

H. B. No. 367—Mr. Baker—Fixing penalties to certain offenses therein named.

H. B. No. 368—Mr. Quinby—To provide houses of detention in the several counties of this State for the safe keeping and the proper care of women and children charged with offenses and held for trial, and for the detention of all persons held as witnesses.

H. B. No. 369—Mr. Dodds—To amend section 2 of an act to amend an act entitled "An act concerning notaries public and commissioners, and prescribing their duties," passed April 6, 1866, (chapter 94, S. S.,) (63, O. L., 162).

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 370—Mr. Loder—Supplementary to the act entitled "An act to amend an act entitled 'An act to regulate the election of State and county officers, passed May 3, 1852, passed April 2, 1870, (vol. 67, p. 47,) and an act supplementary to an act for the incorporation of townships," passed April 29, 1872, (vol. 69, p. 202.)

H. B. No. 371—Mr. ————To authorize the commissioners of counties to pay parties for the pursuit and arrest of parties accused of felony who have fled the county.

H. B. No. 372—Mr. Parker—For the relief of W. J. Jacobs.

H. B. No. 373—Mr. Carpenter—To amend section 7 of an act entitled "An act to provide for the election of township assessors and to prescribe their duties," passed and took effect April 4, 1859; amended February 24, 1862; as further amended March 13, 1865, (O. L., vol. 62, p. 111), (S. & S., p. 19.)

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 374—Mr. Mack—To create a joint sub-district.

H. B. No. 375—Mr. Hume—To amend section 593 of an act entitled "An act to establish a code of civil procedure," passed March 11, 1853.

H. B. No. 376—Mr. Smith—To reduce fees and salaries of county officers.

H. B. No. 377—Mr. Monahan—To enable certain trustees of the First

Regular Baptist Church of Jackson county, Ohio, to convey certain real estate.

H. B. No. 378—Mr. Bull—For the relief of John Martin.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives, and read the first time:

H. B. No. 379—Mr. Hardy of Defiance—To amend section 7 of an act entitled "An act prescribing the rate of taxation for county, bridge, road, and township purposes, and to repeal certain acts therein named," passed April 14, 1877, (O. L., vol. 74, p. 97.)

H. B. No. 380—Mr. Loder—To create a special school district in Delphi township, Hamilton county, Ohio.

H. B. No. 381—Mr. Luccock—To authorize the board of school directors of the special school district in Jefferson township, Guernsey county, Ohio.

H. B. No. 382—Mr. Edwards—To reduce the fees and salaries of county officers in certain cases.

H. B. No. 383—Mr. Read of Trumbull—For the relief of Milo McCombs.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 384—Mr. Stubbs—To amend section 127 of an act entitled "An act of the jurisdiction and procedure of justices of the peace and of the duties of constables in civil courts," passed March 14, 1853, and amended January 15, 1861, (vol. 58.)

H. B. No. 385—Mr. Mackey—To provide for the transcription of certain words from the records of Trumbull and Columbiana counties, into the records of Mahoning county.

H. B. No. 386—Mr. Quinby—To authorize the trustees of Richland township, Clinton county, Ohio, to transfer certain funds therein named.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 387—Mr. Booth—Supplementary to an act entitled "An act to amend section 3 of an act entitled 'An act to amend an act to exempt the homestead of families from forced sale on execution to pay debts,'" passed March 23, 1850; passed April 9, 1869; passed Feb. 27, 1873, (O. L., vol. 70, p. 51.)

H. B. No. 388—Mr. Foster—To amend the third section of an act passed April 6, 1876, entitled "An act supplementary to an act to provide for the organization and government of municipal corporations," passed April 27, 1872, (vol. 73, p. 108.)

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has indefinitely postponed the further consideration of—

S. B. No. 43—Mr. Saltzgaber—To create a special school district in Marion township, Mercer county, Ohio.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of Senate amendments to—

H. B. No. 75—Mr. Palmer—To establish a sub-school district in Olmstead township, Cuyahoga county.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Tyler submitted the following report:

The standing committee on Benevolent Institutions, to whom was referred Sub. for H. B. No. 69—To provide for the regulation and management of hospitals for the insane, to constitute chapter seven of table five of part one of the statutes to revise the general laws—

Having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

In line two, section one, strike out all after the word "follows," as far as the word "and" in line six, and substitute the following: "That near Cleveland as the Cleveland asylum for the insane; that near Columbus as the Columbus asylum for the insane; that near Dayton as the Dayton asylum for the insane, and that near Athens as the Athens asylum for the insane."

In section two, line one, strike out "Northern Ohio Hospital" and insert "Cleveland Asylum."

In line four, same section, strike out "Central Ohio Hospital" and insert "Columbus Asylum."

In line five, same section, after the word "of," insert "Williams, Fulton, Defiance, Henry."

In line six, same section, after "Hardin" insert "Logan, Champaign."

In line seven strike out "Muskingum, Belmont."

In line eight, same section, after "Pickaway," insert "Fayette."

In line nine, same section, strike out "Southern Ohio Hospital" and insert "Dayton Asylum."

In line ten, same section, strike out "Logan, Champaign, Defiance."

In line eleven, same section, strike out "Henry, Williams, Fulton."

In line twelve, same section, strike out "Fayette" and insert "Brown."

In line thirteen, same section, strike out "Southeastern Hospital" and insert "Athens Asylum."

In line fourteen, same section, after "Guernsey," insert "Muskingum, Belmont."

In line sixteen, same section, strike out "Brown."

In section three, line one, strike out "hospitals" and insert "asylums."

In line three strike out "hospital" and insert "asylum."

In same line strike out "five days" and insert "a reasonable time."

In section four, line two, after "appointment," insert "proceed to the election of a president and secretary of said board from their own number, and after such election said board shall."

In section five, line three, strike out "proper county" and insert "county in which the asylum is located."

And in line seven strike out "said probate court" and insert "such asylum."

In section six, line one, strike out "hospital" and insert "asylum."

In section nine, line four, strike out all after the word "on."

In same section, line eight, strike out the word "hospital" and insert "asylum."

And in line twelve strike out "hospital" and insert "asylum."

In section ten, line one, strike out "hospitals" and insert "asylums."

In line three strike out "hospital" and insert "asylum."

In line thirteen strike out "hospital" and insert "asylum."

In line fourteen strike out "hospital" and insert "asylum."

In line sixteen, after "persons," insert "the receipts of the current month."

In same line strike out "belonging" and insert "each belongs."

In line three, section eleven, strike out "hospital" and insert "asylum."

In line four strike out "hospital" and insert "asylum."

In line five strike out "hospital" and insert "asylum."

In section twelve, line nine, after the word "of," insert "the quantity of all articles on hand at the close of the preceding month, the quantity of all articles received during the month, and the quantity of all articles issued during the month."

And in line ten strike out "all articles delivered by him."

In section twelve, line two, strike out "hospital" and insert "asylum."

In line four strike out "hospital" and insert "asylum."

In line eight strike out "hospital" and insert "asylum."

In line ten strike out "hospital" and insert "asylum." Also, strike out "specifying the amount."

In line fifteen strike out "hospital" and insert "asylum."

In section thirteen, line five, strike out all after the word "institution."

Strike out all of section fourteen.

In section fifteen, line eight, strike out "hospital" and insert "asylum."

In line fourteen, after "steward," insert "book-keeper."

In line fifteen strike out "hospital" and insert "asylum."

In all of remaining sections strike out the word "hospital" or "hospitals," wherever the same occurs, and insert "asylum" or "asylums," ac-

cording to necessity of the case, and renumber the sections in their order.

C. F. KRIMMEL, GEO. P. TYLER,
H. W. CURTISS, G. A. GROVE,
THEO. MARSH, B. W. CARLISLE.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time now.

On motion of Mr. Richards, the Senate took a recess.

THREE O'CLOCK P. M.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bill has been introduced in the House of Representatives and read the first time:

H. B. No. 389—Mr. Booth—To amend section one of an act entitled "An act regulating the mode of administering assignments in trust for the benefit of creditors, passed April 6, 1859, (S. & C. 709); section three of an act supplementary to said act as amended April 24, 1877, (74 O. L., 110); sections two and fourteen of said act, passed April 6, 1859, as amended April 10, 1874, (71 O. L., 73), sections 1, 2, 3 and 4 of an act entitled an act supplementary to an act entitled an act regulating the mode of administering assignments in trust for the benefit of creditors," passed April 6, 1859, (73 O. L., 101).

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bill has been introduced in the House of Representatives and read the first time:

H. B. No. 390—Mr. Swaim—To authorize the commissioners of Vinton county to make additional levy for county purposes.

H. B. No. 391—Mr. Swaim—To authorize the trustees of Richland township, Vinton county, to levy an additional tax for township purposes.

H. B. No. 392—Mr. Swaim—To make temporary transfers, heretofore made by the county commissioners of Vinton county, permanent.

H. B. No. 393—Mr. Hitchcock—To amend section 55 of an act entitled "An act of the jurisdiction and procedure before justices of the peace, and of the duties of constables in civil courts," passed March 14, 1853, (51, v. 179, S. & C. 769).

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 394—Mr. Cowgill—To amend section six of "An act concerning the relation of guardian and ward," passed April 12, and took effect July 1, 1858, (S. & C., p. 671).

H. B. No. 395—Mr. Sextro—Supplementary to an act entitled "An act to create a board of trustees of the sinking fund in cities of the first class having a population of one hundred and eighty thousand or over," passed May 3, 1877, (O. L., vol. 74, p. 157).

H. B. No. 396—Mr. Sage—To amend section six of an act entitled "An act to provide for the straightening, cleaning out, widening, deepening and otherwise improving certain ditches, drains and water courses in Wood county, Ohio," passed April 11, 1876, (O. L., vol. 73, p. 303).

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No 397—Mr. Dow—To punish the placing of obstructions in the Miami river in Logan county, and to authorize the removal of the same therefrom.

H. B. No. 398—Mr. Stubbs—To reduce fees and salaries of county officers.

H. B. No. 399—Mr. Bull—To establish a voting precinct in the townships of Hanover and Green, in the county of Ashland, Ohio, in which the incorporated village of Loudenville, the boundary of said asked for precinct, is situated therein, and all that portion of six thirty-five, and all six thirty-six not now included in said corporate limits shall be a part of said corporate precinct for election purposes only.

H. B. No. 400—Mr. Wright—To authorize a temporary loan for street cleaning purposes in certain cities of the first class.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 401—Mr. Wright—Supplementary to the act to provide for the regulation of incorporated companies in the State of Ohio, passed May 1, 1852, and to repeal an act therein named.

H. B. No. 402—Mr. Achauer—To authorize the trustees of the Presbyterian Church of New Concord, Muskingum county, to convey to the Pleasant Hill Cemetery Association, of Union township, of said county, certain cemetery grounds owned by said church association.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of—

S. B. No. 120—Mr. Tyler—For the relief of W. J. Jacobs and his sureties.

Attest: L. A. BRUNNER, *Clerk.*

When the Senate took a recess it had under consideration substitute for H. B. No. 69, the third reading having been ordered.

Said bill was read the third time.

Mr. Wilson moved to refer the bill to a select committee of one with instructions to amend as follows:

In line 6, section 2, strike out "Champaign;" and in line 10, same section, between the words "Clark" and "Allen," insert "Champaign."

Which was disagreed to.

Mr. Fisher moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 2, section 4, after the word "appointment," insert "or as soon thereafter as may be practicable."

Which was agreed to, and Mr. Fisher was appointed said committee.

Mr. Fisher submitted the following report:

The select committee of one, to whom was referred substitute for H. B. No. 69, with instructions to amend, reports the same back amended as instructed.

J. C. FISHER.

Mr. Fisher moved to refer the bill to a select committee of one with instructions to amend as follows:

In line 3, of section 6, strike out the words "on the nomination of," and insert the words "after consultation with."

Which was agreed to, and Mr. Fisher was appointed such committee.

Mr. Fisher, on leave, submitted the following report:

The select committee of one, to whom was referred substitute for H. B. No. 69, with instructions to amend, reports the same back amended as instructed.

J. C. FISHER.

Mr. Fisher moved to refer the bill to a select committee of one, with instructions to amend as follows:

In the first line of section 11, strike out "may," and insert "shall."

Which was agreed to, and Mr. Fisher was appointed such committee.

Mr. Fisher, on leave, submitted the following report:

The select committee of one, to whom was referred substitute for H. B. No. 69, with instructions to amend, reports the same back amended as instructed.

J. C. FISHER.

Mr. Fisher moved to refer the bill to a select committee of one, with instructions to amend as follows:

In section 13, second line, after the word "physician," insert the words "druggist or stewart;" and at the end of line 2, strike out the words "or stewart."

In line 4, strike out "them," and insert "him."

Which was agreed to, and Mr. Fisher was appointed such committee.

Mr. Fisher, on leave, submitted the following report:

The select committee of one, to whom was referred substitute for H. B. No. 69, with instructions to amend, reports the same back amended as instructed.

J. C. FISHER.

Mr. Fisher moved to refer the bill to a select committee of one with instructions to amend as follows:

In section 15, line 10, after the word "physicians," insert the words "and druggists;" also strike out the word "medical," after the word "be."

Which was agreed to, and Mr. Fisher was appointed such committee.

Mr. Fisher, on leave, submitted the following report:

The select committee of one, to whom was referred substitute for H. B. No. 69, with instructions to amend, reports the same back amended as instructed.

J. C. Fisher.

Mr Tyler, moved to refer the bill to a select committee of one, with instructions to amend as follows:

In section 12, line 4, strike out the words "act as secretary of the board of trustees."

Which was agreed to, and Mr. Tyler was appointed such committee.

Mr. Tyler, on leave, submitted the following report:

The select committee of one, to whom was referred substitute for H. B. No. 69, with instructions to amend, reports the same back amended as instructed.

Geo. P. Tyler.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 21, nays 7, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Sherrick, Stokes, Tyler and Williams—21.

Those who voted in the negative were—

Messrs. Beebe, Beer, Jackson of Clinton, Kelley, Richards, Sabine and Wilson—7.

So the bill was passed.

Mr. Grove moved to strike from the title the word "hospital," and insert "asylum."

Which was agreed to, and the title, as amended, was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution in which the concurrence of the Senate is requested:

H. J. R. No. 32—Mr. Bloom—Authorizing the Attorney General to send for persons and papers in reference to the appropriation for new cells in the Ohio Penitentiary.

Attest: L. A. Brunner, *Clerk.*

The question being, on the adoption of said joint resolution, the yeas and nays were taken, and resulted—yeas 27, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Williams and Wilson—27.

So said joint resolution was adopted.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of—
S. B. No. 95—Mr. Richards—To authorize the township trustees of Hudson township, Summit county, Ohio, to raise money and to build a town hall.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of—
S. B. No. 111—Mr. Beer—For the relief of John H. Depler.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:
H. B. No. 72—Mr. Washburn—To reorganize the asylum for the blind.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr Dungan moved that the vote whereby H. B. No. 11 was lost, be reconsidered.

Which was agreed to.

Mr. Forrest moved that said H. B. No. 11 be laid upon the table.

Which was agreed to.

Mr. Lord submitted the following report:

The standing committee on Geological Survey, to whom was referred S. B. No. 127—To provide for the administration of property given for the promotion of science, art, and like purposes, and to protect the same from waste—

Having had the same under consideration, report it back and recommend its passage.

H. C. LORD, J. R. JOHNSTON,
WM. H. STOKES, JAMES W. OWENS,
LINDSEY KELLEY, LYMAN J. JACKSON,
IRVINE DUNGAN.

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Sherrick submitted the following report:

The standing committee on Finance, to whom was referred S. B. No. 121—To provide for the furnishing of books and stationery for certain county officers, and to repeal certain acts therein named—

Having had the same under consideration, report it back, with the following substitute, and recommend that the substitute be passed:

SUBSTITUTE FOR S. B. No. 121—MR. SHERRICK.

A BILL

To provide for the furnishing of books and stationery for certain county officers, and to provide offices for county surveyors and probate judges, and to repeal certain acts therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That the county commissioners of the several counties in this State shall furnish all blank books and stationery necessary to the prompt and efficient discharge of the duties of the probate judge, clerk of courts, treasurer, sheriff, auditor, recorder, surveyor and county commissioners of their respective counties; and, also, necessary stationery for the use of the several courts in their said counties.

SEC. 2. That at the regular session of said commissioners, held on the first Monday of June, annually, it shall be their duty to ascertain from the aforesaid county officers, as near as may be, the quantity and kinds of blank books and stationery which will be needed by them in the discharge of their duties during the ensuing year; and said commissioners shall thereupon let the furnishing of said blank books and stationery, either together or separately, as may be deemed best, to the lowest responsible bidder, or, at their discretion, may let such furnishing by contract, at a fair and reasonable price, corresponding to the quantity and quality of the articles to be furnished.

SEC. 3. That should it become necessary, by reason of inadvertence, mistake, or the occurrence of unforseen events, to procure blank books or stationery for any of the aforesaid officers at any other time than at the June session of the commissioners, said commissioners may, at any regular or extra session, upon being satisfied that such blank books or stationery are necessary, authorize the procurement of the same from the party or parties having the contract for furnishing said articles, or either of them, as aforesaid. And no county officer shall have authority to procure, at the expense of the county, any blank book or article of stationery, except in the manner herein provided.

SEC. 4. The stationery so to be provided, as aforesaid, shall be left in the care of the county auditor, whose duty it shall be to keep the same in a secure place, and to deliver the same over to the several officers entitled thereto as aforesaid, in such quantities and at such times as the business of their respective offices may require; and such stationery shall not be used for any other purpose than the legitimate requirements of such offices and the courts of the county.

SEC. 5. That the county commissioners of the several counties of this State, be and they hereby are authorized and required to provide offices, at the county seats of their respective counties, for the county surveyors thereof, and to furnish such offices with suitable cases for the safe keeping and preservation of the records and papers pertaining to the official duties of such surveyors.

SEC. 6. That the commissioners of the several counties in this State, be and they hereby are authorized and required to furnish, at the county seats of their respective counties, suitable offices for the probate judges of such counties, with necessary cases for the safe keeping and preservation of the official records and papers of the probate courts of such counties; and said offices shall be kept open by said probate judges, at all reasonable hours, for the transaction of business.

SEC. 7 That an act entitled "An act to provide for the furnishing of blanks and stationery for sheriffs," passed May 6, 1873, (Statutes, v. 70, p. 292), and section 10 of an act entitled "An act to regulate the fees of probate judges, clerks of the courts, sheriffs, witnesses, jurors, fees in partitions, and to repeal certain acts therein named," passed April 8, 1876, (Statutes, v. 73, p. 127,) and an act entitled "An act to amend the first section of the act passed February 26, 1857, entitled an act supplementary to the act entitled an act creating the office of county surveyor, and defining his duties," passed March 3, 1831, passed March 7, 1872, (Statutes, v. 69, p. 18); and an act entitled "An act to amend section 13 of an act entitled an act defining the jurisdiction and regulating the practice of probate courts," passed March 14, 1853, passed March 29, 1867, (Statutes, v. 64, p. 72,) be and the same are hereby repealed.

SEC. 8. This act shall take effect from and after its passage."

J. SHERRICK, J. M. CARSON,
IRVINE DUNGAN, H. C. LORD,
H. W. CURTISS, THOS. M. BEER.

Said substitute was ordered to be printed, and placed on the calendar for third reading on Thursday.

Mr. Beer submitted the following report:

The standing committee on Finance, to whom was referred S. B. No. 128—To amend section 3 of an act entitled "An act to amend sections 24, 29, 31, 39, 40, 41, 42, 44 and 45, of an act entitled 'An act for the assessment and taxation of property in this State, and for levying taxes thereon, according to its true value in money,'" as amended April 7, 1863, (vol. 65, p. 167, of the Laws of Ohio; Swan & Sayler, 753)—

Having had the same under consideration, report it back, and recommend its passage.

J. SHERRICK, IRVINE DUNGAN,
H. W. CURTISS, H. C. LORD,
THOS. M. BEER.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 272—To amend an act entitled "An act supplementary to an act entitled an act supplementary to an act to provide for the organization and government of municipal corporations," passed May 5, 1877, (O. L., vol. 74, p. 185,)—

Having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH, G. M. SALTZGABER,
G. A. GROVE, JAMES B. STEEDMAN.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Carson submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred H. B. No. 269—Creating a special school district in Palmyra township, Portage county—

Having had the same under consideration, report it back, without recommendation.

J. M. Carson, D. Wagener,
H. C. Lord, R. G. Richards,
Thos. M. Beer, G. A. Grove.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Carson submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred H. B. No. 74—To create a special school district of sub-district No. 4, in Dover township, Fulton county, Ohio—

Having had the same under consideration, report it back without recommendation.

J. M. Carson, H. C. Lord,
G. A. Grove, C. F. Krimmel,
R. G. Richards.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Carson submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred H. B. No. 50—To amend section 27 of an act entitled "An act for the reorganization and maintenance of common schools," passed March 6, 1874, (vol. 71, O. L., p. 18,)—

Having had the same under consideration, report it back, and recommend its passage.

J. M. Carson, D. Wagener,
H. C. Lord, R. G. Richards,
Thos. M. Beer, G. A. Grove.

Said bill was ordered to be engrossed, and read the third time to-morrow.

Mr. Parker, from a special committee of one, to whom was referred H. B. No. 261—Mr. Douglass—asked to be relieved from the further consideration of said bill, and that it be referred to the standing committee on Finance.

Which was agreed to.

Mr. Jackson of Perry submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 32—To amend section 436 of the code of civil procedure, as passed March 11, 1853, took effect June 1, 1853, (51 vol. Stat., 57), as amended and took effect April 6, 1859, (56 vol. Stat., 242; S. & C., p. 1074)—

Having had the same under consideration, report it back, and recommend its passage.

Lyman J. Jackson, W. P. Howland,
J. R. Johnston, G. M. Saltzgaber,
W. T. Forrest.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Sherrick moved that the committee on Finance be relieved from the further consideration of S. B. No. 133.

Which was agreed to.

On motion of Mr. Sherrick, said bill was referred to the committee on Judiciary.

Mr. Forrest moved that S. J. R. No. 37 be taken from the table.

Which was agreed to.

Mr. Lord moved that said joint resolution be referred to a select committee of fourteen, consisting of the members of the Judiciary and Finance standing committees.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 14, nays 9, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Benson, Grove, Jackson of Clinton, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Sabine, Tyler, Williams and Wilson—14.

Those who voted in the negative were—

Messrs. Armstrong, Fisher, Forrest, Irvine, Owens, Richards, Seitz, Sherrick and Stokes—9.

So the motion to refer was agreed to.

Mr. Forrest presented the memorial of a citizens' meeting of the citizens of Cincinnati, protesting against further taxation for the Southern railway.

Which was referred to the special committee composed of the Finance and Judiciary committees.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to—

H. B. No. 89—Mr. Norton—To authorize incorporated villages and cities to purchase steam fire engines.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills in which the concurrence of the Senate is requested:

H. B. No. 217—Mr. Parker—For the relief of George W. Woodward.

H. B. No. 311—Mr. Palmer—To authorize the trustees of Olmstead township, in the county of Cuyahoga, to issue bonds to the amount of $6,000, for the purpose of buying land, and to erect and repair suitable buildings thereon for infirmary purposes.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

On motion of Mr. Seitz, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

WEDNESDAY, MARCH 20—10 o'clock A. M.

The Senate met pursuant to adjournment.

Prayer by Rev. E. K. Squier.

The Journal was read and approved.

Mr. Jackson of Clinton, presented the remonstrance of N. M. Linton, and 105 other citizens of Clinton county, against the repeal of the Adair liquor law.

Which was referred to the committee on Sanitary Laws and Regulations.

Mr. Jackson of Clinton presented the remonstrance of Wm. Whitacre, and 101 other citizens of the fifth Senatorial district, against the repeal of the Adair liquor law.

Which was referred to the committee on Sanitary Laws and Regulations.

Mr. Jackson of Clinton presented the remonstrance of D. F. Small, and 141 other citizens of the fifth Senatorial district, of Ohio, against the repeal of the Adair liquor law.

Which was referred to the committee on Sanitary Laws and Regulations.

Mr. Jackson of Clinton presented the remonstrance of Lincoln Johnson, and 105 other citizens of the fifth Senatorial district, against the repeal of the Adair liquor law.

Which were referred to the committee on Sanitary Laws and Regulations.

Mr. Lord, on leave, offered the following joint resolution:

S. J. R. No. 38—WHEREAS, The accommodations now provided for the cure and education of deaf mutes of this State are entirely inadequate for the largely increasing number of such unfortunate youth, and

WHEREAS, The present crowded condition of the institution for deaf mutes at Columbus is injurious to the health of the inmates, and extremely dangerous in case of fire, and calculated to deter parents and guardians from sending their children and wards to such institution, and

WHEREAS, In the opinion of many persons, who have made the education of deaf mutes a special study, there should be a classification of such unfortunate youth, as to age, to secure the best possible results, and

WHEREAS, It is the duty of the State to give such unfortunate youth such training as will fit them for the active duties of life, and

WHEREAS, It is impolitic and unwise that this State should take any backward steps in her grand scheme and system of public charities, and

WHEREAS, The education of deaf mutes, and training and instructing them in useful occupation, is one of the most practical and promising, from results already attained,,of the charities of this State, and should be maintained and enlarged to meet all demands likely to be made, therefore,

Be it resolved by the General Assembly of the State of Ohio, That a joint committee be appointed, consisting of three on the part of Senate, and ——— on the part of the House of Representatives, who are hereby authorized and directed to investigate the present condition of the institution, for the education of deaf mutes, and report what, if any, further accommodations are required, and if in their judgment additional room and facilities should be needed to accommodate increasing numbers, or properly classify those already in charge of the State, to report their conclusions, by bill or otherwise, at the earliest practical time, to this General Assembly, and to that end they are hereby instructed to investigate the present capacity of the in-

stitution at Columbus, and receive any proposals or donations that may be made to them for additional grounds and buildings.

On motion of Mr. Lord, said joint resolution was referred to the committee of Benevolent Institutions.

Mr. Sherrick submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 261—To provide for the erection of a town hall and place for holding elections in the town of Vermillion, Erie county, Ohio, and to repeal an act providing for the same, passed April 12, 1869, (Vol. 66, O. L., pp. 376 and 377.)—

Having had the same under consideration, report it back and recommend its passage.

J. Sherrick, H. W. Curtiss,
Thos. M. Beer, J. M. Carson,
H. C. Lord.

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 21, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Curtiss, Fisher, Forrest, Irvine, Jackson of Clinton, Joy, Kelley, Krimmel, Lord, McDonald, Owens, Parker, Sabine, Sherrick, Stokes, Tyler, Wagener and Williams—21.

Mr. Seitz voted in the negative—1.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 226—Mr. Carpenter—To authorize the city council of the city of Pomeroy, Ohio, to sell certain land therein named, and to appropriate the proceeds thereof to the payment of the general indebtedness of said city.

Attest: L. A. Brunner, *Clerk.*

Said bill was read the first time.

Bills were read the second time and referred as follows:

S. B. No. 143—Mr. Sabine—Relating to ditches.

To committee on Drains and Drainage.

S. B. No. 146—Mr. Richards—In relation to the prevention of cruelty to children, and to repeal a certain act therein named, (O. L., vol. 72, p. 152.); passed March 30, 1875.

To committee on Judiciary.

S. B. No. 147—Mr. Beer—Relating to county surveyors.

To committee on Agriculture.

S. B. No. 149—Mr. Armstrong—To authorize the board of trustees of the Cincinnati hospital to establish a branch hospital for the accommodation of persons afflicted with contagious diseases.

To committee on Municipal Corporations.

S. B. No. 150—Mr. Armstrong—To amend section 4 of an act regulating the commercial hospital of Cincinnati, passed March 11, 1861, (O. L.,

vol. 61, p. 142,) and to repeal certain amendments thereto, passed January 26, 1875, (O. L., vol. 72, p. 197.)

To committee on Judiciary.

H. B. No. 293—Mr. Levering—To amend section 35 of the act of May 1, 1873 (70 volume 195,) entitled "An act for the reorganization and maintenance of common schools."

To committee on Common Schools and School Lands.

H. B. No. 72—Mr. Washburn—To reorganize the asylum for the blind.

To committee on Benevolent Institutions.

H. B. No. 311—Mr. Palmer—To authorize the trustees of Olmsted township, in the county of Cuyahoga, to issue bonds to the amount of $6,000 for the purpose of buying land, and to erect and repair suitable buildings thereon for infirmary purposes.

To committee on Benevolent Institutions.

S. B. No. 148—Mr. Grove—Relating to offenses against chastity and morality.

To committee on Judiciary.

H. B. No. 217—Mr. Parker—For the relief of George W. Woodward.

Mr. Tyler moved that the constitutional rule requiring bills to be read on three different days be suspended, that H. B. No. 217 may be read the third time.

On which motion the yeas and nays were taken, and resulted—yeas 17, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Benson, Carson, Curtiss, Fisher, Irvine, Jackson of Clinton, Joy, Kelley, Krimmel, McDonald, Sabine, Sherrick, Stokes, Tyler, Wagener and Wilson—17.

Mr. Owens voted in the negative—1.

So the motion was disagreed to.

On motion of Mr. Tyler, said bill was referred to the committee on Finance.

On demand of Mr. Forrest, a call of the Senate was had.

Messrs. Beer, Dungan, Joy, Krimmel and Saltzgaber were absent.

Leave of absence was asked for and obtained for Mr. Dungan for to-day.

On motion of Mr. Forrest, the Sergeant-at-Arms was dispatched for absentees.

Messrs. Saltzgaber and Beer having appeared within the bar of the Senate and answered to their names—

Mr. Richards moved that further proceedings under the call be dispensed with.

Which was disagreed to.

Mr. Joy having appeared within the bar of the Senate and answered to his name—

Mr. Richards moved that further proceedings under the call be dispensed with—

Which was disagreed to.

Mr. Krimmel having appeared within the bar of the Senate and answered to his name—

Mr. Sherrick moved that further proceedings under the call be dispensed with.

On which motion the yeas and nays were demanded, taken, and resulted—yeas16, nays 12, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Benson, Carson, Fisher, Grove, Irvine, Jackson of Clin-

ton, Parker, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—16.

Those who voted in the negative were—

Messrs. Beer, Forrest, Jackson of Perry, Joy, Kelley, Krimmel, Lord, McDonald, Owens, Richards, Sabine and Saltzgaber—12.

So the motion was disagreed to.

S. B. No. 130—Mr. Irvine—To facilitate the administration of justice, and to repeal an act passed March 27, 1875, (Ohio Laws, volume 72.)

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 11, nays 15, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Curtiss, Irvine, Jackson of Clinton, Marsh, Owens, Richards, Sabine, Sherrick, Tyler and Wilson—11.

Those who voted in the negative were—

Messrs. Armstrong, Beer, Carson, Fisher, Grove, Jackson of Perry, Joy, Kelley, Lord, McDonald, Parker, Saltzgaber, Seitz, Wagener and Williams—15.

So the bill, having failed to receive a constitutional majority, was lost.

Mr. Forrest moved that the rule be suspended, and that H. B. No. 11 be taken from the table.

On which motion the yeas and nays were demanded, taken and resulted—yeas 22, nays 9, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Fisher, Forrest, Grove, Jackson of Clinton, Joy, Krimmel, Lord, Marsh, Owens, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—22.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Irvine, Jackson of Perry, Kelley, Richards, Sabine and Wilson—9.

Mr. Owens moved to refer the bill tc a select committee of one, with instructions to amend as follows:

Strike out "probate judge," and insert "Governor."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 16, nays 15, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Carson, Curtiss, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Owens, Richards, Sabine, Williams and Wilson—16.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Fisher, Forrest, Grove, Marsh, McDonald, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Tyler and Wagener—15.

So the motion was agreed to, and Mr. Owens was appointed such committee.

Mr. Owens, on leave, submitted the following report:

The select committee of one, to whom was referred Sub. for H. B. No. 11, with instructions to amend, reports the same back amended as instructed.

JAS. W. OWENS.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 13, nays 19, as follows:

Those who voted in the affirmative were—

Messrs. Benson, Carlisle, Forrest, Grove, Jackson of Perry, Joy, Krimmel, Lord, McDonald, Parker, Steedman, Stokes and Wagener—13.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Beer, Carson, Curtiss, Fisher, Irvine, Jackson of Clinton, Kelley, Marsh, Owens, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Tyler, Williams and Wilson—19.

So the bill, having failed to receive a constitutional majority, was lost.

On motion of Mr. Seitz, the Senate took a recess.

THREE O'CLOCK P. M.

H. B. No. 335—Mr. Dodds—To amend sections 11 and 12 of an act entitled "An act supplementary and amendatory of the act entitled 'An act to amend sections 2, 4 and 24 of an act to preserve the purity of elections," passed May 7, 1877, (O. L., vol. 74, p. 211.)

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 20, nays 6, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carson, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Seitz, Steedman, Stokes, Tyler and Williams—20.

Those who voted in the negative were—

Messrs. Beer, Jackson of Clinton, Kelley, Richards, Sabine, and Wilson—6.

So the bill was passed. The title was agreed to.

S. B. No. 145—Mr. Richards—To divide the township of Perry, county of Columbiana, into two election precincts, and repeal a certain act therein.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 26, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carson, Curtiss, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Steedman, Stokes, Tyler, Williams and Wilson—26.

So the bill was passed. The title was agreed to.

Sub. for H. B. No. 140—Mr. Maury—To amend section 35 of chapter 8 of an act entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, and repeal certain acts therein named; to be known as title 1, crimes and offenses, part 4, of the act to revise and consolidate the general statutes of Ohio, (O. L., v. 74, page 273.)

Was read the third time.

Mr. Williams moved to refer the bill to a select committee of one, with instructions to amend as follows:

"Strike out the word 'and,' in the 15th line, and insert in lieu thereof the word 'or.'"

Which was agreed to, and Mr. Williams was appointed such committee.

Mr. Williams, on leave, submitted the following report:

The select committee of one, to whom was referred Sub. for H. B. No. 140, with instructions to amend, reports the same back amended as instructed.

J. B. Williams.

Mr. Stokes moved to refer the bill to a select committee of one, with instructions to amend as follows:

At the end of line 10, add the following words:

And provided, further, that it shall be unlawful to catch or destroy fish in any manner during the spawning season, from the first day of May to the fifteenth day of June in each year, with the same penalties for a violation of this provision as above provided in other cases.

Which was agreed to, and Mr. Stokes was appointed such committee.

Mr. Stokes, on leave, submitted the following report:

The select committee of one, to whom was referred Sub. for H. B. No. 140, with instructions to amend, reports the same back amended as instructed.

Wm. H. Stokes.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 19, nays 9, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Fisher, Kelley, Marsh, Owens, Richards, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Williams and Wilson—19.

Those who voted in the negative were—

Messrs. Forrest, Grove, Irvine, Jackson of Perry, Joy, Krimmel, Lord, McDonald, and Parker—9.

So the bill was passed. The title was agreed to.

Mr. Richards submitted the following report:

The joint committee on Enrollment have examined and found correctly enrolled, the following bill:

H. B. No. 89—To authorize incorporated villages and cities to purchase steam fire engines and fire apparatus.

F. M. Carter, Wm. Jessup,
Duncan Dow, C. F. Krimmel,
E. S. Perkins, R. G. Richards.

S. B. No. 127—Mr. Lord—To provide for the administration of property given for the promotion of science, art, and like purposes, and to protect the same from waste.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 23, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carson, Curtiss, Fisher, Forrest, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Steedman, Stokes, Tyler and Wilson—23.

So the bill was passed. The title was agreed to.

Mr. Sherrick submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 217—For the relief of George V. Woodward—

Having had the same under consideration, report it back and recommend its passage.

J. S. Sherrick, Thos. M. Beer,
H. C. Lord, J. M. Carson,
John Seitz, H. W. Curtiss.

On demand of Mr. Tyler, a call of the Senate was had.

Messrs. Jackson of Perry, Sabine, Saltzgaber and Wagener were absent.

Messrs. Saltzgaber and Sabine having appeared within the bar of the Senate and answered to their names—

On motion of Mr. Benson, further proceedings under the call were dispensed with.

Mr. Sherrick moved that the vote whereby the Senate refused to suspend the constitutional rule in order that H. B. No. 217 might be read the third time, be reconsidered.

Which was agreed to.

The question recurring on the motion to suspend the constitutional rule, that said bill (H. B. No. 217) be read the third time--

The yeas and nays were taken and resulted—yeas 29, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Williams and Wilson—29.

So the motion was agreed to.

Said bill was then read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 26, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Fisher, Forrest, Grove, Jackson of Clinton, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Parker, Richards, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Williams and Wilson—26.

Mr. Owens voted in the negative—1.

So the bill passed. The title was agreed to.

Mr. Krimmel submitted the following report:

The joint committee on Enrollment have examined and found correctly enrolled the following bills:

S. B. No. 95—An act to authorize the township trustees of Hudson township, Summit county, Ohio, to raise money and to build a town hall.

S. B. No. 111—An act for the relief of John H. Depler.

C. F. Krimmel, R. G. Richards,
J. W. Washburn, F. M. Carter,
Wm. Jessup, E. S. Perkins,
D. Dow.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representaives and read the first time:

H. B. No. 403—Mr. Alexandar—Making appropriation for the fiscal year 1878, and for the first quarter of 1879.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of—
S. B. No. 18—Mr. Krimmel—To reorganize the reform school for boys.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

S. B. No. 95—Mr. Richards—To authorize the township trustees of Hudson township, Summit county, Ohio, to raise money and build a town hall.

S. B. No. 111—Mr. Beer—For the relief of John H. Depler.

H. B. No. 89—Mr. Norton—To authorize incorporated villages and cities to purchase steam fire engines, and fire apparatus.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

S. B. No. 128—Mr. Curtiss—To amend section 3 of an act entitled "An act to amend sections 24, 29, 31, 39, 40, 41, 42, 44 and 45 of an act entitled an act for the assessment and taxation of property in this State, and for levying taxes thereon according to its true value in money," as amended April 7, 1863, (O. L., vol. 65, p. 167, S. & S., 753).

Was read the third time.

Mr. Wilson moved to refer the bill to a select committee of one, with instructions to amend as follows:

After the word "bidder," in line 25, insert "if in their judgment the same is reasonable."

Which was agreed to, and Mr. Wilson was appointed such committee.

Mr. Wilson, on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No. 128, with instructions to amend, reports the same back amended as instructed.

G. W. WILSON.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays 3, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Curtiss, Fisher, Forrest, Grove, Jackson of Clinton, Kelley, Lord, Marsh, Owens, Parker, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Williams and Wilson—23.

Those who voted in the negative were—

Messrs. Krimmel, McDonald and Seitz—3.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to—

Substitute for H. B. No. 69—Mr. Van Cleaf—To provide for the regulation and management of asylums for the insane.

Attest: L. A. BRUNNER, *Clerk.*

H. B. No. 272—Mr. Wright—To amend an act entitled "An act supplementary to an act entitled an act supplementary to an act to provide for the organization and government of municipal corporations," passed May 5, 1877, (O. L., v. 74, p 185).

Was read the third time.

Mr. Forrest moved that the bill be referred to a select committee of one with instructions to amend as follows:

Strike out the word "twenty-five" in line 3 of section 1, and insert "thirty."

Strike out the word "five," in line 18 of section 1, and insert "six."

To insert after the word "that," in line 1 of section 2, the words "an act entitled an act supplementary to an act entitled an act supplementary to an act to provide for the organization and government of municipal corporations, passed Feburary 10, 1870; passed May 5, 1877, (O. L., v. 74, p. 185), be and the same is hereby repealed, and."

Which was agreed to, and Mr. Forrest was appointed such committee.

Mr. Forrest on leave, submitted the following report:

The select committee of one, to whom was referred H. B. No. 272, with instructions to amend, reports the same back amended as instructed.

W. T. FORREST.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 20, nays 5, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carson, Fisher, Forrest, Grove, Irvine, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Seitz, Sherrick, Steedman, Stokes, Tyler and Williams—20.

Those who voted in the negative were—

Messrs. Beebe, Jackson of Clinton, Kelley, Sabine and Wilson—5.

So the bill was passed. The title was agreed to.

H. B. No. 269—Mr. Harmon—Creating a special school district in Palmyra township, Portage county.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 20, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Curtiss, Fisher, Forrest, Grove, Jackson of Clinton, Jackson of Perry, Joy, Krimmel, Lord, McDonald, Owens, Sabine, Saltzgaber, Steedman, Tyler and Williams—20.

Those who voted in the negative were—

Messrs. Seitz and Sherrick—2.

So the bill passed. The title was agreed to.

H. B. No. 74 Mr. Fenton—To create a special school district in sub-district number four in Dover township, Fulton county, Ohio.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 21, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Curtiss, Fisher, Forrest, Grove, Jackson of Clinton, Jackson of Perry, Joy, Marsh, McDonald, Owens, Parker, Sabine, Saltzgaber, Steedman, Stokes, Tyler and Williams—21.

Those who voted in the negative were—

Messrs. Seitz and Sherrick—2.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has refused to concur in the adoption of Senate substitute for—

H. B. No. 140—Mr. Maury—To amend section 35, chapter 8, of offenses against public policy, (O. L., v. 74, p. 273).

Attest: L. A. BRUNNER, *Clerk.*

Mr. Marsh moved that the Senate insist on its amendments to said bill.

Which was agreed to.

H. B. No. 50—Mr. Kellogg—To amend section 27 of an act entitled "An act for the reorganization and maintenance of common schools," passed March 6, 1874, (v. 71, O. L., p. 18).

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 27, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carson, Curtiss, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Lord, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Williams and Wilson—27.

So the bill was passed. The title was agreed to.

H. B. No. 32—Mr. Oglevee—To amend section 436 of the code of civil procedure, as passed March 11, 1853, took effect June 1, 1853, (51 v. stat., 57) as amended and took effect April 6, 1859, (56, p. 242, S. & C., p. 1074).

Was read the third time.

Mr. Saltzgaber moved that the bill be indefinitely postponed.

Mr. Forrest moved that the bill be laid upon the table.

Which was agreed to.

Mr. Marsh moved that the Senate proceed to the consideration of S. B. No. 10—the question being on agreeing to the amendments made to said bill in the House of Representatives.

Which was agreed to.

Mr. Marsh moved that the Senate concur in the amendments made to said bill in the House of Representatives.

On which motion the yeas and nays were taken, and resulted—yeas 22, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Curtiss, Fisher, Irvine, Jackson of Clinton, Jackson of Perry, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sabine, Seitz, Stokes, Tyler, Williams and Wilson—22.

So the motion was agreed to.

S. B. No. 65—Mr. Saltzgaber—To aid in improving the drainage of the lands in and adjacent to the Scioto marsh, in Hardin county, Ohio.

Was read the third time.

Mr. Sabine moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out of section 3, to the words "to advertise," in the sixth line, and insert in the place thereof the words, "It shall be the duty of the county commissioners."

On which motion the yeas and nays were demanded, taken and resulted—yeas 8, nays 19, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Curtiss, Fisher, Jackson of Clinton, Richards, Sabine and Wilson—8.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carson, Forrest, Grove, Irvine, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Saltzgaber, Seitz, Steedman, Stokes, Tyler and Williams—19.

So the motion was disagreed to.

Mr. Saltzgaber moved to refer the bill to a select committee of one with instructions to amend as follows:

Strike out of line 7, section 1, the words "of said county of Hardin."

Which was agreed to, and Mr. Saltzgaber was appointed such committee.

Mr. Saltzgaber, on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No. 65, with instructions to amend, reports the same back amended as instructed.

G. M. SALTZGABER.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 19, nays 8. as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carson, Forrest, Grove, Irvine, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Steedman, Stokes and Williams—19.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Fisher, Jackson of Clinton, Richards, Sabine and Wilson—8.

So the bill was passed. The title was agreed to.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred S. B. No. 90—To authorize the sale of railroads in certain cases—

Having had the same under consideration, report it back, with following amendment, and recommend its passage when so amended:

Add to section 1, the following: "*Resolved*, Such sale shall be made at public auction and to the highest bidder, after advertisement for not less than sixty days in at least two daily newspapers published in said city,

and such sale shall not be made at a price less than fifty per centum of the amount paid by such city for the construction of said railroad."

THEO. MARSH, R. G. RICHARDS,
G. W. WILSON, G. A. GROVE,
LYMAN J. JACKSON, G. M. SALTZGABER.

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Benson submitted the following report:

The standing committee on Drains and Drainage, to whom was referred H. B. No. 262—Supplementary to an act entitled "An act to provide for the straightening, clearing out, widening, deepening and otherwise improving certain ditches, drains and water courses in Wood county, Ohio," passed April 11, 1876, (O. L., vol. 63, p. 303)—

Having had the same under consideration, report it back, and recommend its passage.

JOHN H. BENSON, W. H. STOKES,
J. C. MCDONALD, THOS. S. JACKSON.

Said bill was ordered to be engrossed and read the third time on Friday next.

Mr. Curtiss submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 257—To authorize the incorporated village of Marshallville, Wayne county, Ohio, to borrow money for the purchase of a fire engine and apparatus, the construction of cisterns, the purchase of a lot and the erection of an engine house—

Having had the same under consideration. report it back, and recommend its passage.

J. SHERRICK, JOHN SEITZ,
H. W. CURTISS, H. C. LORD,
IRVINE DUNGAN, THOS. M. BEER.

Said bill was ordered to be engrossed and read the third time to-morrow.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 103—Mr. Swain—To better regulate the Ohio Agricultural and Mechanical College, and to repeal certain acts therein named.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has appointed Messrs. Maury, Bohl and Townsend as a conference committee on the part of the House to consider Senate substitute for—

S. J.—26.

H. B. No. 140—Mr. Maury—And requests the appointment of a like committee on the part of the Senate.

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Fisher, the Senate acceded to the request of the House of Representatives, and the President appointed Messrs. Fisher, Owens and Curtiss, as such committee on the part of the Senate.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr President:

The House of Representatives has concurred in the adoption of Senate amendments to—

H. B. No. 272—Mr. Wright—To amend an act entitled "An act supplementary to an act entitled an act supplementary to an act to provide for the organization and government of municipal corporations," passed May 5, 1877, (O. L., vol. 74, p. 185).

Attest: L. A. BRUNNER, *Clerk.*

Mr. Sabine submitted the following report:

The standing committee on Public Expenditures, to whom was referred S. B. No. 9—To authorize the board of county commissioners of Hancock county to levy a tax for the purpose of building a county jail--

Having had the same under consideration, report it back with following amendment, and recommend its passage when so amended:

That in lines 6 and 7, in section 1, the words "thirty-five thousand" be stricken out, and the words "twenty-five thousand" be inserted in the place thereof.

JOHN SEITZ, H. W. CURTISS,
C. S. PARKER, H. SABINE.

Said amendmenis were agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Wilson submitted the following report:

The standing committee on Public Works and Public Lands, to whom was referred H. B. No. 181—To provide for the location, establishment, and construction of a new ditch in part, and the alteration, cleaning, widening, deepening and otherwise improving certain ditches, drains and water courses, in the counties of Sandusky, Seneca and Wood, in the State of Ohio—

Having had the same under consideration, report it back, and recommend its passage.

JAMES B. STEEDMAN, G. M. SALTZGABER,
GEO. W. WILSON, G. A. GROVE,
LYMAN J. JACKSON, HENRY C. LORD.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Tyler moved that the Senate adjourn.

On which motion the yeas and nays were taken, and resulted—yeas 18, nays 9, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Carson, Jackson of Clinton, Joy, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Stokes, Tyler, Williams and Wilson—18.

Those who voted in the negative were—

Messrs. Armstrong, Curtiss, Fisher, Forrest, Grove, Irvine, Saltzgaber, Sherrick and Steedman—9.

So the motion was agreed to, and the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

THURSDAY, MARCH 21, 1878—10 O'CLOCK A. M.

The Senate met pursuant to adjournment.

The Journal was read and approved.

Bills were read the second time and referred as follows:

H. B. No. 226—Mr. Carpenter—To authorize the city council of the city of Pomeroy, Ohio, to sell certain lands therein named, and to appropriate the proceeds thereof to the payment of the general indebtedness of said city.

To committee on Sanitary Laws and Regulations.

H. B. No. 103—Mr. Swaim—To better regulate the Ohio Agricultural and Mechanical College, and to repeal certain acts therein named.

To committee on Universities, Colleges and Academies.

Mr. Seitz presented the memorial of J. T. Reid and 118 other citizens of Seneca county, praying the General Assembly to abolish the office of infirmary director.

Which was referred to the committee on Finance.

Indefinite leave of absence was asked for and obtained for Mr. Carlisle on account of sickness.

S. B. No. 91—Mr. Carlisle—To create a special school district in Rush Creek township, Fairfield county, Ohio.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 18, nays 6, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Joy, Krimmel, Lord, McDonald, Owens, Sabine, Saltzgaber, Stokes, Tyler, Wagener and Williams—18.

Those who voted in the negative were—

Messrs. Beer, Howland, Kelley, Parker, Richards and Sherrick—6.

So the bill was passed. The title was agreed to.

S. B. No. 121—Mr. Sherrick—To provide for the furnishing of books and stationery for certain county officers, and to repeal certain acts therein named.

Was read the third time.

Mr. Seitz moved to refer the bill to a select committee of one, with instructions to amend as follows:

In section 2, strike out all after the word "bidder," in line 7.

Which was agreed to, and Mr. Seitz was appointed such committee.

Mr. Seitz, on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No. 121, with instructions to amend, reports the same back amended as instructed.

JOHN SEITZ.

Mr. Wilson moved to refer the bill to a select committee of one, with instructions to amend as follows:

Insert after the words "blank books," wherever they occur in the bill, the word "blanks."

Which was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 16, nays 14, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carson, Curtiss, Forrest, Jackson of Clinton, Lord, Marsh, McDonald, Parker, Seitz, Sherrick, Steedman, Stokes, Wagener and Williams—16.

Those who voted in the negative were—

Messrs. Beebe, Fisher, Grove, Howland, Jackson of Perry, Joy, Kelley, Krimmel, Owens, Richards, Sabine, Saltzgaber, Tyler and Wilson—14.

So the bill, having failed to receive a constitutional majority, was lost.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has refused to concur in the passage of—

S. B. No. 31—Mr. Johnston—To amend section 1 of an act entitled "An act to provide for increasing or reducing the width of county or township roads," passed March 27, 1867, (S. & S., p. 693).

Attest: L. A. BRUNNER, *Clerk.*

S. B. No. 90—Mr. Steedman—To authorize the sale of railroads in certain cases.

Was read the third time.

Mr. Steedman moved to refer the bill to a select committee of one, with instructions to amend as follows:

Insert the following at the end of section 1: "Provided, that such sale shall be upon the express condition that the purchaser or purchasers, his or their successors or assigns, shall permit all railroad or railway companies to use and occupy such railroad and property so purchased in common with such purchaser, purchasers, his or their successors or assigns, upon equitable terms, under proper police regulations, by payment of fair compensation for the accommodation and use received, to be agreed upon by the parties; and in case the parties are unable to agree, then to abide the decision of three disinterested competent referees, to be selected by the parties; or in case the parties cannot agree on the referees, then such referees to be appointed by the court of common pleas of any county in which such city is situated; and such sale shall also be upon condition that in case the purchaser or purchasers of said railroad and property, his or their successors or assigns, shall control or operate a line of railway from Chicago, Illinois, to New York, Philadelphia or Baltimore, such purchaser or purchasers his or their successors or assigns, shall be bound to transport freight and passengers at all times between the city making sale of such railroad and cities east of such city, at rates which shall be in direct proportion for the distance carried with the lowest rates charged by such purchaser or purchasers, his or their successors or assigns, between Chicago, Illinois, and cities east of the city making sale of such railroad, as aforesaid. All and singular the ———— conditions aforesaid shall be inserted in and constitute part of the deed of conveyance transferring the title of said railroad and property, and proper clauses of forfeiture, for the non-performance thereof.

On motion of Mr. Seitz, the Senate took a recess.

THREE O'CLOCK P. M.

Mr. Richards submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled the following bill and joint resolution:

H. B. No. 261—To provide for the erection of a town hall and place for holding elections, in the town of Vermillion, Erie county, Ohio, and to repeal an act providing for the same, passed April 12, 1869, (v. 66, O. L., pp. 376–7).

H. J. R. No. 32—Authorizing the Attorney-General to send for persons and papers in reference to the appropriation for new cells in the Ohio penitentiary.

F. M. CARTER. WM. JESSUP,
DUNCAN DOW, C. F. KRIMMEL,
C. R. HARMON, R. G. RICHARDS,
J. W. WASHBURN.

Mr. Krimmel submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills:

S. B. No. 10—An act to amend section 11 of chapter 8, to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four, of the act to repeal and consolidate the general statutes of Ohio, passed May 5, 1877, (v. 74, O. L., p. 268).

S. B. No. 18—An act to reorganize the reform school for boys.

C. F. KRIMMEL, D. DOW,
R. G. RICHARDS, C. R. HARMON,
WM. JESSUP, E. S. PERKINS,
F. M. CARTER.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills and joint resolution:

S. B. No. 18—Mr. Krimmel—To reorganize the reform school for boys.

S. B. No. 10—Mr. Marsh—To amend section 11, of chapter 8, to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, known as title 1, crimes and offenses, part 4, of the act to revise and consolidate the general statutes of Ohio, passed May 5, 1877, (vol. 74, O. L., p. 268).

H. B. No. 261—Mr. Douglass—To amend an act entitled "an act to provide for the erection of a town hall and place for holding elections, in the town of Vermillion, Erie county, Ohio," passed April 12, 1869,(vol. 66, page 376–377).

H. J. R. No. 32—Mr. Bloom—Authorizing the Attorney General to send for persons and papers in reference to the appropriation for new cells in the Ohio Penitentiary.

Attest: L. A. BRUNNER, *Clerk.*

The President *pro tem.*, in presence of the Senate, signed said bills and joint resolution.

When the Senate took a recess, it had under consideration S. B. No. 90, the pending question being on Mr. Steedman's motion to refer said bill to a select committee with instructions to amend.

Mr. Joy moved to amend the instructions to amend as follows:

Strike from said proposed amendment the following clause: "And such sale shall also be upon the condition, that in case the purchaser or purchasers of said railroad and property, his or their successors or assigns shall control or operate a line of railway from Chicago, Illinois, to New York, Philadelphia or Baltimore, such purchaser or purchasers, his or their successors or assigns, shall be bound to transport frieght and passengers at all times between the cities making such sale of such railroad, and cities east of such city, at rates which shall be in direct proportion for distances carried, with the lowest rates charged by such purchaser or purchasers, his or their successors or assigns, between Chicago, Illinois, and cities east of the city, making sale of such railroad, as aforesaid."

On demand of Mr. Steedman, a call of the Senate was had.

Messrs. Benson, Sherrick and Wagener were absent.

Leave of absence was asked for Messrs. Benson and Sherrick for this afternoon.

Mr. Richards moved that further proceedings under the call be dispensed with.

Which was disagreed to.

On motion of Mr. Seitz, the Sargeant-at-Arms was dispatched for absentees.

Mr. Wagener having appeared within the bar of the Senate, and answered to his name—

On motion of Mr. Richards, further proceedings under the call were dispensed with.

The question being on Mr. Joy's motion to amend the instructions to amend said S. B. No. 90—

The yeas and nays were demanded, taken and resulted—yeas 16, nays 13, as follows:

Those who voted in the affirmative were—

Messrs. Beer, Carson, Curtiss, Fisher, Forrest, Howland, Irvine, Jackson of Clinton, Joy, Kelley, Krimmel, Lord, McDonald, Owens, Sabine and Steedman—16.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Grove, Jackson of Perry, Parker, Richards, Saltzgaber, Seitz, Stokes, Tyler, Wagener, Williams and Wilson—13.

So the motion was agreed to.

The question recurring on the motion to refer to a select committee with instructions—

The yeas and nays were demanded, taken, and resulted—yeas 18, nays 12, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carson, Curtiss, Fisher, Forrest, Howland, Irvine, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Sabine, Steedman, and Wagener—18.

Those who voted in the negative were—

Messrs. Beebe, Grove, Jackson of Clinton, Jackson of Perry, Parker, Richards, Saltzgaber, Seitz, Stokes, Tyler, Williams and Wilson—12.

So the motion was agreed to and Mr. Steedman was appointed such committee.

Mr. Steedman, on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No. 90, with instructions to amend, reports the same back, amended as instructed.

J. B. STEEDMAN.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 28, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carson, Curtiss, Fisher, Forrest, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—28.

Messrs. Beebe and Grove voted in the negative—2.

So the bill was passed. The title was agreed to.

Mr. Richards submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled the following bill:

H. B. No. 272—To amend an act entitled "An act supplementary to an act entitled an act supplementary to an act to provide for the organization and government of municipal corporations," passed May 5, 1877, (O. L., v. 74, p. 185).

WM. JESSUP, F. M. CARTER,
DUNCAN DOW, C. R. HARMON,
C. F. KRIMMEL, R. G. RICHARDS.

Mr. Tyler presented the petition of Stephen Feike, and 430 other citizens of Brown county, to construct a free turnpike road from the terminus of the Arnkeim free turnpike road, via. Sardinia to the Highland county line.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

H. B. No. 257—Mr. McCoy of Wayne—To authorize the incorporated village of Marshallville, in Wayne county, Ohio, to borrow money for the purchase of a fire engine and apparatus, the construction of cisterns, the purchase of a lot and the erection of an engine house.

Was read the third time.

Mr. Saltzgaber moved that said bill be indefinitely postponed.

Mr. Curtiss moved that said bill be laid upon the table.

Which was agreed to.

Mr. Saltzgaber presented the petition of John Akerman and a number of other citizens of Paulding county, asking for legislation with reference to ditches and drains.

Which was referred to the committee on Drains and Drainage.

S. B. No. 9—Mr. Joy—To authorize the board of county commissioners of Hancock county to levy a tax for the purpose of building a county jail.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 22, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Stokes, Tyler, Williams and Wilson—22.

So the bill was passed. The title was agreed to.

H. B. No. 181—Mr. Dunham—To provide for the location, establishment and construction of a new ditch, in part, and the alteration, changing, widening, deepening and otherwise improving certain ditches, drains and water courses, in the counties of Sandusky, Seneca and Wood, in the State of Ohio.

Was read the third time.

On motion of Mr. Joy, the further consideration of said bill was postponed until to-morrow.

Mr. Forrest submitted the following report:

The select committee of thirteen, to whom was referred S. J. R. No. 37—Submitting to a vote of the people the question of whether they desire the issuance of the $2,000,000 bond for completion of the Cincinnati Southern railway.

Having had the same under consideration, report it back, with the recommendation that it be adopted.

J. Sherrick, John Seitz,
G. M. Saltzgaber, D. Wagener,
H. W. Curtiss, Thos. M. Beer,
W. T. Forrest.

On motion of Mr. Forrest, said joint resolution was ordered to be made the special order of the hour for 10½ o'clock to-morrow.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

H. B. No. 272—Mr. Wright—To amend an act entitled "An act supplementary to an act entitled an act supplementary to an act to provide for the organization and government of municipal corporations," passed May 5, 1877, (O. L., v. 74, p. 185).

Attest: L. A. Brunner, *Clerk.*

The President, in presence of the Senate, signed said bill.

Mr. Williams submitted the following report:

The standing committee on Sanitary Laws and Regulations, to whom was referred H. B. No. 226—To authorize the city council of the city of Pomeroy, Ohio, to sell certain lands therein named, and to appropriate the proceeds thereof to the payment of the general indebtedness of said city—

Having had the same under consideration, report it back, and recommend its passage.

J. B. Williams, J. M. Armstrong,
W. H. Stokes, D. D. Beebe,
G. W. Wilson.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Seitz submitted the following report:

The standing committee on Finance, to whom was referred S. B. No. 125—To authorize the council of the incorporated village of Nor-

walk to levy an additional tax for the general purpose fund of said village—

Having had the same under consideration, report it back, and recommend its passage.

JOHN SEITZ, H. W. CURTISS,
JOHNSON SHERRICK, IRVINE DUNGAN.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Tyler submitted the following report:

The committee on Benevolent Institutions, to whom was referred S. B. No. 134—To amend section 4 of an act for the relief of the poor, and to repeal certain acts therein named, passed April 12, 1876, (O. L., vol. 73, page 234,)—

Having had the same under consideration, report it back with the following amendment, and recommend its passage when so amended:

Insert, in line 10, section 4, after the word "county," "and add such director or directors."

C. F. KRIMMEL, THEO. MARSH,
GEO. P. TYLER, H. W. CURTISS,
G. A. GROVE, D. D. BEEBE.

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Armstrong submitted the following report:

The standing committee on Claims, to whom was referred S. J. R. No. 35—Directing the Treasurer of State to correct a certain mistake, made by the treasurer of Huron county—

Having had the same under consideration, report it back, and recommend its adoption.

J. M. ARMSTRONG, J. C. MCDONALD,
J. B. WILLIAMS, D. D. BEEBE,
G. A. GROVE, H. SABINE.

On motion of Mr. Parker, the consideration of said joint resolution was postponed until to-morrow.

Mr. Armstrong submitted the following report:

The standing committee on Claims, to whom was referred H. B. No. 294—For the relief of D. V. Dingman and H. H. Sprague—

Having had the same under consideration, report it back, and recommend its passage.

J. M. ARMSTRONG, J. C. MCDONALD,
J. B. WILLIAMS, D. D. BEEBE,
G. A. GROVE, H. SABINE.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Marsh submitted the following report:

The committee on Benevolent Institutions, to whom was referred H. B. No. 311—To authorize the trustees of Olmstead township, in the county of Cuyahoga, to issue bonds to the amount of $6,000, for the purpose of buying land, and to erect and repair suitable buildings thereon for infirmary purposes—

Having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH, H. W. CURTISS,
C. F. KRIMMEL, G. A. GROVE,
GEO. P. TYLER, D. D. BEEBE.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Tyler submitted the following report:

The committee on Railroads, Telegraphs and Turnpikes, to whom was referred S. B. No. 124—To authorize the commissioners of Brown county, Ohio, to construct a free turnpike road, from the terminus of the Ripley and Hillsborough free turnpike road to the Highland county line—

Having had the same under consideration, report it back, with the following amendments, and recommed its passage when so amended:

Insert, after the word "line," in title of bill, the words, "and to construct a free turnpike road from the terminus of the Arnheim free turnpike road *via* Sardinia, to the Highland county line."

And insert, in section 1, in line 4, after the word "and," "construct a free turnpike road, from the terminus of the Arnheim free turnpike road, *via* Sardinia, and."

Strike out, in section 3, line three, "two mills," and insert "one mill."

GEO. P. TYLER, J. M. CARSON,
D. JOY, H. SABINE,
J. C. FISHER, H. C. LORD.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill in which the concurrence of the Senate is requested:

H. B. No. 97—Mr. Foster—To amend an act entitled "an act supplementary to 'an act to provide for the better regulation of turnpike and plank road companies, and to repeal section 41 of an act to provide for the regulation of incorporated companies, passed May 1, 1852, and repealed March 30, 1864, and re-enacted April 5, 1866,' passed March 11, 1867," passed April 3, 1868.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 81—Mr. O'Connor—For the re-organization and better man-

agement of the Soldiers' and Sailors' Orphans' Home, located at Xenia, and to repeal certain acts therein named.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 227—Mr. Bloom—To authorize the city council of the city of Mansfield to issue bonds for water works purposes.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

On motion of Mr. Howland, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

FRIDAY, MARCH 22, 1878—10 o'clock A. M.

The Senate met pursuant to adjournment.

Prayer by Rev. E. K. Squier.

The Journal was read and approved.

Bills were read the second time and referred as follows:

H. B. No. 97.—Mr. Foster—To amend an act entitled "An act supplementary to an act to provide for the better regulation of turnpike and plank road companies, and to repeal section forty-one of an act to provide for the regulation of incorporated companies," passed May 1, 1852, and repealed March 30, 1864, and re-enacted April 5, 1866, passed March 11, 1867," passed April 3, 1868.

To the committee on Finance.

H. B. No. 81—Mr. O'Connor—For the reorganization and better management of the Soldiers' and Sailors' Orphans' Home, located at Xenia, and to repeal certain acts therein named.

To the committee on Soldiers' and Sailors' Orphans' Home.

H. B. No. 227—Mr. Bloom—To authorize the city council of the city of Mansfield to issue bonds for water works purposes.

To the committee on Municipal Corporations.

Indefinite leave of absence was asked and obtained for Mr. Seitz on account of sickness.

Leave of absence was asked and obtained for Mr. Wagener for to-day.

Mr. Richards moved that the vote whereby Sub. for S. B. No. 121 was lost, be reconsidered.

Which was agreed to.

Mr. Sherrick moved that said bill be laid upon the table.

Which was agreed to.

Mr. Johnston moved that Sub. for S. B. No. 40 be taken from the table.

Which was agreed to.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 27, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Fisher, Forrest, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Steedman, Stokes, Williams and Wilson—27.

So the bill passed. The title was agreed to.

Mr. Forrest moved that the Senate proceed to the special order of the hour, viz:

S. J. R. No. 37—Mr. Forrest—Relating to the Cincinnati Southern railway.

Which was agreed to.

Mr. Marsh offered the following:

Strike out all after the word "required," in line nine, and substitute as follows:

Be it resolved by the General Assembly of the State of Ohio, That a committee, consisting of all the members of the Hamilton county delegation to this General Assembly, together with three Senators from the Senate and —— Representatives from the House of Representatives, be and they are hereby constituted a joint committee to examine the books and papers of the Cincinnati Southern Railway Co., at their office in the city of Cincinnati, State of Ohio, and there to hear a true statement of the condition of the affairs of said company, from the officers and trustees thereof, and that a committee from the Chamber of Commerce, the Board of Trade; Sinking Fund Commissioners and the Council and the Board of Aldermen of the city of Cincinnati be respectfully invited to be present at such investigation.

Resolved, further, That such examination shall be had with open doors, and if deemed necessary, the committee shall be empowered to employ competent experts to assist in such examination, and that no action shall be had looking to the authorizing of the issue of bonds by the city in the further completion of said road until a report be had from said committee to this General Assembly, and to that end they may sit in committee any time not to exceed ten days, but said committee shall have power to appoint a sub-committee from their number which shall have all the power therein conferred upon the said joint committee.

Mr. Forrest demanded a division of the question.

The question being on the motion to strike out.

On motion of Mr. Richards, the Senate took a recess.

THREE O'CLOCK, P. M.

When the Senate took a recess, it had under consideration S. J. R. No. 37.

Mr. Forrest having demanded a division of the question, the question recurred on the motion to strike out.

Mr. Wilson moved to amend the substitute offered by Mr. Marsh, as follows:

By inserting after the words "books and papers," the words "of the Board of Trustees," and after the words "Cincinnati Southern Railway" strike out the word "Company."

Which was agreed to.

The question recurring on the motion to strike out, the yeas and nays were demanded, taken and resulted—yeas 17, nays 10, as follows:

Those who voted in the affirmative were—

Messrs. Benson, Fisher, Grove, Howland, Jackson of Clinton, Jackson of Perry, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Richards, Sabine, Tyler, Williams and Wilson—17.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Carson, Curtiss, Forrest, Johnston, Joy, McDonald, Steedman and Stokes—10.

So the motion was agreed to.

Mr. Wilson moved to amend the substitute by striking out the word "Company" where it occurs and insert in lieu thereof the word "Board."

Which was agreed to.

The question being on agreeing to the substitute as amended, the yeas and nays were demanded, taken and resulted—yeas 13, nays 12, as follows:

Those who voted in the affirmative were—

Messrs. Curtiss, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley,Krimmel, Lord, Marsh, Parker, Richards, Sabine and Wilson—13.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Beer, Carson, Fisher, Forrest, Grove, McDonald, Owens, Stokes, Tyler, and Williams—12.

So said substitute was agreed to.

The question being on the adoption of said joint resolution as amended, the yeas and nays were taken, and resulted—yeas 13, nays 12, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Curtiss, Forrest, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Marsh, McDonald, Richards and Sabine—13.

Those who voted in the negative were—

Messrs. Benson, Carson, Fisher, Grove, Jackson of Perry, Krimmel, Lord, Owens, Parker, Stokes, Tyler and Wilson– 12.

So said joint resolution was disagreed to.

Mr. Krimmel submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled the following bills:

H. B. No. 75—To establish a sub school district in Olmstead township, Cuyahoga county.

H. B. No. 335—To amend section eleven and twelve of an act entitled "An act supplementary and amendatory of the act entitled an act to amend sections two, four and twenty-four of an act to preserve the purity of elections," passed May 7, 1877, (O. L., vol. 74, page 211).

C. F. Krimmel, J. W. Washburn,
Wm. Jessup, F. M. Carter,
E. S. Perkins, C. R. Harmon,
Duncan Dow, R. G. Richards.

Mr. Fisher submitted the following report:

The committee of Conference, appointed to consider the matters of difference between the two Houses on H. B. No. 140—Mr. Maury—To amend section 35 of chapter 8 of an act entitled "An act to amend, revise and consolidate the statutes relating to crimes and offenses, and

repeal certain acts therein named; to be known as title 1, crimes and offenses, part 4, of the act to revise and consolidate the general statutes of Ohio," (O. L., vol. 74, p. 273)—

Having had the same under consideration, recommend that the House concur in the Senate amendments, and the two Houses agree to the following amendments, agreed upon by the conference committee:

Section 35, line 8, insert after the word "reservoir," the words "except St. Mary's reservoir."

In same section, line 18, insert after the word "fish," "except of the sucker species."

J. C. FISHER,
H. W. CURTISS,
JAMES W. OWENS,
On part of the Senate.
HENRY MAURY,
HENRY BOHL,
CARLES TOWNSEND,
On part of the House.

The question being on agreeing to said report, the yeas and nays were taken, and resulted—yeas 23, nays 3, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carson, Curtiss, Fisher, Grove, Howland, Jackson of Clinton, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Stokes, Tyler, Williams and Wilson—23.

Those who voted in the negative were—

Messrs. Forrest, Irvine and Jackson of Perry—3.

So the report was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives refuses to agree to the amendments reported by the Conference committee to—

Sub. for H. B. No. 140—Mr. Maury—To amend section 35 of chapter 8 of an act entitled an act to amend, revise, and consolidate the statutes relating to crimes and offenses, and repeal certain acts therein named; to be known as title one, crimes and offenses, part 4, of the act to revise and consolidate the general statutes of Ohio, (O. L., vol. 74, p. 273.)

Attest: L. A. BRUNNER, *Clerk.*

Mr. Howland moved that the Senate insist on its amendments to said bill.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 335—Mr. Dodds—To amend sections 11 and 12 of an act entitled "An act supplementary and amendatory of the act entitled 'An act

to amend sections 2, 4 and 24 of an act to preserve the purity of elections,'" passed May 7, 1877, (O. L., vol. 74, p. 211.)

H. B. No. 75—Mr. Palmer—To establish a sub-school district in Olmstead township, Cuyahoga county, Ohio.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 271—Mr. Mackey—To create a special school district in Springfield township, Mahoning county.

H. B. No. 286—Mr. Wales—To authorize the incorporated village of Lebanon, Warren county, Ohio, to issue and sell certain bonds for the purpose of constructing a gallery in the public hall of said village, and to furnish said hall and the departments connected therewith.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill in which the concurrence of the Senate is requested:

H. B. No. 182—Mr. Palmer—To authorize the village of West Cleveland, Ohio, to issue bonds to the amount of six thousand for the purpose of paying for a culvert built by said corporation under the Lake Shore and Michigan Southern Railroad at the intersection of Lake avenue.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill in which the concurrence of the Senate is requested:

H. B. No. 321—Mr. Poe—To give entire control of the so-called market fund of the city of Cleveland to the council of said city.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Carson, on leave, introduced the following bill, which was read the first time:

S. B. No. 151—To re-instate a sub-school district in Jackson township, Shelby county.

Mr. Carson moved that the constitutional rule requiring bills to be read "on three different days" be suspended that S. B. No. 151 may be read the second time.

On which motion, the yeas and nays were taken, and resulted—yeas 22, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, McDonald, Parker, Richards, Sabine, Stokes, Tyler, Williams and Wilson—22.

So the motion was disagreed to.

Mr. Curtiss, on leave, introduced the following bill, which was read the first time:

S. B. No. 152—Supplementary to an act entitled "An act concerning the relation of guardian and ward," passed April 12, 1858, (S. & C., vol. 1, p. 670.)

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 404—Mr. Poe—Limiting the compensation of county officers therein named.

H. B. No. 405—Mr. Danford—To authorize the commissioners of Belmont county to pay to Samuel D. Talbott for pursuit and arrest of a horse thief.

H. B. No. 406—Mr. Wright—To provide for the better regulation of the police in certain cities of the first-class, and to repeal certain acts therein named.

H. B. No. 407—Mr. Clough—Defining the power and prescribing the duties of the board of public works.

H. B. No. 408—Mr. Worley—Amendatory to an act entitled "An act for the reorganization and maintenance of common schools," passed May 1, 1873.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Forrest, on leave, introduced the following bill, which was read the first time:

S. B. No. 153—To permit benevolent associations and societies to invest surplus or endowment funds, and to hold securities upon which such investments may be made.

Mr. Howland submitted the following report:

The committee of Conference, to whom was referred the matter of difference between the two House on H. B. No. 14—Mr. Haley—Amending section 28 of the code of civil procedure—

Having had the same under consideration, recommends that the Senate recede from its amendment.

W. P. HOWLAND,
THEO. MARSH,
IRVINE DUNGAN,
Senate Committee.

J. G. MEUSER,
JOHN HALEY,
CHARLES TOWNSEND,
House Committee.

The question being on agreeing to said report, the yeas and nays were taken and resulted—yeas 24, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carson, Curtiss, Fisher, Grove, Howland, Irvine, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, McDonald, Parker, Richards, Sabine, Stokes, Tyler, Williams and Wilson—24.

So said report was agreed to.

Mr. Armstrong offered the following joint resolution:

S. J. R. No. 39—*Be it resolved by the General Assembly of the State of Ohio*, That a joint committee of two, on the part of the Senate, and ——— on the part of the House of Representatives, be selected to investigate the condition of the affairs of the trustees of the Cincinnati Southern Railway, to examine into the management of their trust, the disbursement of the moneys intrusted to their care, as well as what further sum, if any, be necessary to fully complete said road; that the sessions of said committee shall be open, and power is hereby conferred to examine all books and papers belonging to said Cincinnati Southern Railway, to summons and examine witnesses under oath, to require the production of any other books and papers; to hold their sessions in the city of Cincinnati, at the principal office of said trustees, or elsewhere if they shall deem it necessary; and said committee are empowered to employ competent clerks to assist them, and,

Resolved, That said committee make full report to this General Assembly without delay, together with such recommendations in regard to the future management and disposition of said railway as may to them seem proper.

Mr. Lord moved that said joint resolution be referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Armstrong moved that said resolution be laid upon the table.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 9, nays 16, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Curtiss, Fisher, Forrest, Irvine, Jackson of Perry, McDonald, Stokes and Williams—9.

Those who voted in the negative were—

Messrs. Beebe, Benson, Carson, Grove, Howland, Jackson of Clinton, Johnston, Joy, Kelley, Lord, Owens, Parker, Richards, Sabine, Tyler and Wilson—16.

So the motion was disagreed to.

The question recurring on the motion to refer said joint resolution to the committee on Railroads, Telegraphs and Turnpikes—

The same was agreed to.

Mr. Irvine submitted the following report:

The standing committee on Insurance, to whom was referred H. B. No. 130—For the better regulation of insurance companies, other than life and accident, issuing fire policies—

Having had the same under consideration, report it back, with following amendments, and recommend its passage when so amended:

To strike out of lines 3, 4, 5, 6 and 7, section 1, "on the cash mutual or installment plan and known as cash mutual installment policies," "dwelling house, barn, school house, church or other."

To strike out of line 10, section 1, the word "and" and insert "or."

To strike out of lines 11 and 12, section 1, where it first occurs the

word "made" and "made payable to the company from year to year."

To insert at the beginning of section 2, the word "when."

To strike out of line 1, section 2, "when" and insert "are."

To insert at the beginning of section 3, the word "when."

To strike out of line 1, section 3, "when" and insert "are."

To strike out all after the word "losses" in section 3, line 4, and insert "such policies shall first be sent to the secretary or agent of the company and sixty days after the receipt of such policy for cancellation the premium note shall be returned; provided, the assured shall have first paid his proportion of all losses which shall have actually occurred up to the date when said policy was received for cancellation; and the company shall not be liable for any loss under such policy after the policy was returned for cancellation.

JOHN IRVINE, G. M. SALTZGABER,
C. S. PARKER, G. W. WILSON,
THEO. MARSH, W. T. FORREST,
H. SABINE.

Mr. Curtiss moved that said report be laid upon the table and printed.

Which was agreed to.

Mr. Lord asked and obtained leave of absence until Tuesday next.

Mr. Irvine moved that H. J. R. No. 20 be taken from the table.

Which was disagreed to.

Mr. Grove, on leave, introduced the following bill, which was read the first time:

S. B. No. 154—To amend section 92 of an act entitled "An act of the jurisdiction and procedure before justices of the peace," passed March 14, 1853.

Mr. Tyler, on leave, introduced the following bill which was read the first time:

S. B. No. 155—To protect more effectually the lives of railroad passengers from casualties by fire.

Mr. Howland moved that the Senate adjourn.

On which motion, the yeas and nays were demanded, taken and resulted—yeas 14, nays 13, as follows:

Those who voted in the affirmative were—

Messrs. Beer, Benson, Curtiss, Fisher, Howland, Jackson of Clinton, Jackson of Perry, Kelley, Lord, Owens, Sabine, Tyler, Williams and Wilson—14.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Forrest, Grove, Irvine, Johnston, Joy, Krimmel, Marsh, McDonald, Parker, Richards and Stokes—13.

So the motion was agreed to, and the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

SATURDAY, MARCH 23, 1878—10 O'CLOCK A. M.

The Senate met pursuant to adjournment.

Prayer by Rev. E. K. Squier.

The Journal was read and approved.

Mr. Carson presented the petition of H. C. Meeker, and 171 other citizens of Jackson township, Shelby county, praying that sub-district No. 4, of said township, be reinstated.

Which was referred to the committee on Common Schools and School Lands.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 413—Mr. Covert—To amend an act entitled "An act to amend section 3 of an act for the assessment and taxation of property in this State, and for levying taxes thereon according to its true value in money.

H. B. No. 414—Mr. Clough—To amend an act entitled "An act to provide for leasing the Public Works of the State, passed May 8, 1861, (vol. 58, p. 117.)

H. B. No. 415—Mr. Cowgill—To amend an act to amend an act entitled "An act of the jurisdiction and procedure of justices of the peace, and of duties of constables in civil courts," passed March 4, 1853, passed March 23, and took effect September 1, 1866, (S. & S., p. 419.)

Attest: L. A. BRUNNER, *Clerk.*

Bills were read the second time and referred as follows:

H. B. No. 271—Mr. Mackey—To create a special school district in Springfield township, Mahoning county.

To committee on Common Schools and School Lands.

H. B. No. 286—Mr. Wales—To authorize the incorporated village of Lebanon, Warren county, Ohio, to issue and sell certain bonds for the purpose of constructing a gallery in the public hall of said village, and to furnish said hall and the departments connected therewith.

To committee on Municipal Corporations.

H. B. No. 182—Mr. Palmer—To authorize the village of West Cleveland, Ohio, to issue bonds to the amount of $6,000 for the purpose of paying for a culvert, built by said corporation, under the Lake Shore and Michigan Southern railroad, at the intersection of Lake Avenue.

To committee on Municipal Corporations.

H. B. No. 321—Mr. Poe—To give entire control of the so-called market fund of the city of Cleveland to the council of said city.

To committee on Municipal Corporations.

S. B. No. 151—Mr. Carson—To reinstate a sub-school district in Jackson township, Shelby county, Ohio.

To committee on Common Schools and School Lands.

S. B. No. 152—Mr. Curtiss—Supplementary to an act entitled "An act concerning the relation of guardians and wards, passed April 12, 1858, (Swan & Critchfield, vol. 1, p. 670.)

To committee on Judiciary.

S. B. No. 153—Mr. Forrest—To permit benevolent associations and societies to invest surplus or endowment funds, and to hold securities upon which such investments may be made.

To committee on Benevolent Institutions.

S. B. No. 154—Mr. Grove—To amend section 92 of an act entitled "An act of the jurisdiction and procedure before justices of the peace," passed March 14, 1853.

To committee on Fees and Salaries.

S. B No. 155—Mr. Tyler—To protect more effectually the lives of railroad passengers from casualties by fire.

To committee on Railroads, Telegraphs and Turnpikes.

Mr. Steedman presented the petition of citizens of Lucas county, in relation to the change of a school district.

Which was referred to the committee on Common Schools and School Lands.

Mr. Marsh, on leave, introduced the following bill, which was read the first time:

S. B. No. 156—Directing how cities of the first-class, having accepted property or funds upon condition of establishing and maintaining an astronomical observatory, shall provide for the support of the same.

Indefinite leave of absence was asked and obtained for Allen O. Myers, chief clerk, from Monday next, to obey subpœna in case of the State of Ohio *vs.* C. F. Dimmit.

H. B. No. 262—Mr. Sage—Supplementary to an act entitled "An act to provide for the straightening, clearing out, widening, deepening and otherwise improving certain ditches, drains and water courses in Wood county, Ohio," passed April 11, 1876, (O. L., vol. 63, p. 303.)

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 26, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Marsh, Owens, Parker, Richards, Sabine, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—26.

So the bill was passed. The title was agreed to.

S. B. No. 125—Mr. Parker—To authorize the council of the incorporated village of Norwalk, to levy an additional tax for the general purpose fund of said village.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 22, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Curtiss, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Owens, Parker, Richards, Sabine, Stokes, Tyler, Wagener, Williams and Wilson—22.

So the bill passed. The title was agreed to.

H. B. No. 226—Mr. Carpenter—To authorize the city council of the city of Pomeroy, Ohio, to sell certain lands therein named, and to appropriate the proceeds thereof to the payment of the general indebtedness of said city.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Owens, Parker, Richards, Sabine, Stokes, Tyler, Wagener, Williams and Wilson—22.

So the bill was passed. The title was agreed to.

H. B. No. 294—Mr. Hume—For the relief of D. V. Dinman and H. H. Sprague.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 22, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Fisher, Forrest, Howland, Irvine, Jackson of Clinton, Johnston, Krimmel, Owens, Parker, Richards, Sabine, Stokes, Tyler, Wagener, Williams and Wilson—22.

So the bill was passed. The title was agreed to.

H. B. No. 311—Mr. Palmer—To authorize the trustees of Olmstead township, in the county of Cuyahoga, to issue bonds to the amount of $6,000 for the purpose of buying land, and to erect and repair suitable buildings thereon for infirmary purposes.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 22, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Curtiss, Fisher, Forrest, Howland, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Marsh, Owens, Parker, Richrds, Sabine, Stokes, Tyler, Wagener, Williams and Wilson—22.

So the bill was passed. The title was agreed to.

S. B. No. 124—Mr. Tyler—To authorize the commissioners of Brown county, Ohio, to construct a free turnpike road, from the terminus of the Ripley and Hillsborough free turnpike road, to the Highland county line.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 21, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Curtiss, Fisher, Forrest, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Owens, Parker, Sabine, Tyler, Wagener, Williams and Wilson—21.

So the bill passed. The title was agreed to.

Mr. Krimmel submitted the following report:

The joint committee on Enrollment have examined and found correctly enrolled the following bill:

H. B. No. 69—To provide for the regulation and management of asylums for the insane, to constitute chapter seven, of title five, of part one, of the statute to revise the general laws.

J. W. Washburn, Wm. Jessup,
F. M. Carter, J. R. Johnston,
R. G. Richards, C. F. Krimmel.

Mr. Benson moved that H. B. No. 257 be taken from the table.

Which was agreed to.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 22, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Curtiss, Fisher, Forrest, Howland, Irvine, Jackson of Clinton, Kelley, Krimmel, Marsh, Owens, Parker, Richards, Sabine, Stokes, Tyler, Wagener, Williams and Wilson—22.

So the bill was passed. The title was agreed to.

Mr. Johnston moved that the military committee be discharged from the further consideration of H. J. R. No. 20.

Which was agreed to.

Mr. Curtiss moved to amend said joint resolution by adding after the word "flags," in line 13, the words "to such regiments as shall be in attendance at said re-union."

Which was disagreed to.

The question being on the adoption of said joint resolution, the yeas and nays were taken, and resulted—yeas 25, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Marsh, Owens, Parker, Richards, Sabine, Stokes, Tyler, Wagener, Williams and Wilson—25.

So the joint resolution was adopted.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

Substitute for H. B. No. 69—Mr. Van Cleaf—To provide for the regulation and management of Asylums for the insane, to constitute chapter 7, of title 5, of part 1, of the statute to revise the general laws.

Attest: L. A. BRUNNER, *Clerk.*

The President, *pro tem.*, in presence of the Senate, signed said bill.

Mr. Sabine offered the following joint resolution:

S. J. R. No. 40—To authorize the Adjutant-General to forward to the executive committee of the ex-soldiers of Union county, battle flags, etc., for a reunion of said soldiers to be held during 1878.

WHEREAS, The veterans of Union county, irrespective of party, have expres ed a desire to have their old battle flags displayed at their reunion, and to have artillery, etc., furnished by the State; therefore,

Be it resolved by the General Assembly of the State of Ohio, That the Adjutant-General be and is hereby authorized to forward to the executive committee, when the committee gives notice to the Adjutant-General of the time and place of said reunion, said battle flags, of such regiments as shall be at said reunion, to be exhibited only under cover, and returned by said committee in good order, immediately on the adjournment of said reunion; the Adjutant-General is hereby further authorized and required in like manner, at said time, to ship said committee two pieces of artillery, three hundred stand of small arms and one thousand rounds of blank cartridges, provided the same are at the disposal of the State at the time the pieces of artillery and small arms, to be returned in good order, with the battle flags, without any expense to the State of Ohio.

The question being on the adoption of the joint resolution the yeas and nays were taken and resulted—yeas 24, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carson, Curtiss, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Marsh, Owens, Richards, Sabine, Stokes, Tyler, Wagener, Williams and Wilson—24.

So the joint resolution was adopted.

Mr. Sabine, on leave, introduced the following bill, which was read the first time:

S. B. No. 157—To provide for the improving and draining of roads in Montgomery township, Marion county, Ohio.

Mr. Wagener moved to take from the table the motion to reconsider the vote whereby H. B. No. 78 was indefinitely postponed.

Which was agreed to.

The question recurring on the motion to reconsider the motion to indefinitely postpone said bill—

The same was agreed to.

Mr. Carson moved that the House be requested to return said bill (H B. No. 78), to the Senate.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 317—Mr. Morrey—To relieve the imcorporated village of McConnelsville.

H. B. No. 196—Mr. White—To change the surname of persons therein named.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 283—Mr. Hume—For the relief of Christain Kingseed.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Krimmel submitted the following report:

The joint committee on Enrollment have examined and found correctly enrolled the following bills:

S. B. No. 42—An act to amend section 1 of an act entitled "An act to authorize the city council of Newark and the county commissioners to unite in building a sewer in said city, and to provide the necessary funds therefor," passed April 30, 1877, (O. L., v. 74, p. 492).

S. B. No. 56—An act authorizing the board of education of school dictrict No. 1, Paris township, Union county, Ohio, to borrow money to pay indebtedness incurred in building a school house, and levy a tax for said purpose.

S. B. No. 64—An act supplementary to an act entitled "An act to provide for the appointment of guardians for imbeciles," passed April 27, 1872, (69 v. O. L., p. 174).

S. B. No. 72—An act to authorize the Secretary of State to reissue charters of incorporation which have been lost or destroyed.

S. B. No. 88—An act to fix the time for holding an additional term of the district court in Jackson county.

S. B. No. 120—An act for the relief W. J. Jacobs and his sureties.

C. F. KRIMMEL, J. R. JOHNSTON,
WM. JESSUP, R. G. RICHARDS,
J. W. WASHBURN, F. M. CARTER.

Mr. Jackson of Clinton submitted the following report:

The standing committee on Roads and Highways, to whom was referred H. B. No. 301—To amend section 28 of an act entitled "An act relating to roads and highways," as amended April 11, 1876, (O. L., v. 73, p. 185)—

Having had the same under consideration, report it back and recommend its passage.

THOS. S. JACKSON, LINDSEY KELLEY,
JOHN H. BENSON, J. B. WILLIAMS,
C. S. PARKER, J. C. MCDONALD.

Said bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 106—To amend an act entitled an act for the protection of wool growers, and confiscation of dogs, passed May 5, and took effect June 7, 1877, (O. L., vol. 74, page 177,) and to repeal a certain act therein named—

Having had the same under consideration, report it back without recommendation.

W. T. FORREST, J. R. JOHNSTON,
W. P. HOWLAND, LYMAN J. JACKSON.

Said bill was ordered to be engrossed and read the third time Tuesday next.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 253—Supplementary to the acts relating to criminal procedure—

Having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended:

Strike out all after the word "shown" in line 4 of section 1, to the word "and," in line 6.

W. T. FORREST, W. P. HOWLAND,
J. R. JOHNSTON, LYMAN J. JACKSON.

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Steedman, on leave, introduced the following bill, which was read the first time:

S. B. No. 158—To authorize the appointment of an assistant prosecuting attorney in certain counties.

Mr. Jackson, of Clinton, submitted the following report:

The standing committee on Roads and Highways, to whom was referred H. B. No. 285—To amend an act entitled "An act to amend section 34 of an act entitled 'an act to provide for the creation and regula-

tion of incorporated companies in the State of Ohio,'" passed May 1, 1872, (S. & C., 295; O. L., 74, page 180,) passed May 7, 1877—

Having had the same under consideration, report it back and recommend its passage.

THOS. S. JACKSON, LINDSEY KELLEY,
JOHN H. BENSON, J. B. WILLIAMS,
C. S. PARKER, J. C. MCDONALD.

Said bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Jackson, of Clinton, submitted the following report:

The standing committee on Roads and Highways, to whom was referred H. B. No. 191 — Authorizing the commissioners of Hamilton county to repair and keep in repair the approaches to the Union Bridge—

Having had the same under consideration, report it back, and recommend its passage.

B. W. CARLISLE, J. B. WILLIAMS,
J. C. MCDONALD, THOS. S. JACKSON,
LINDSEY KELLEY.

Said bill was ordered to be engrossed and read the third time Wednesday next.

Mr. Kelley submitted the following report:

The standing committee on Roads and Highways, to whom was referred H. B. No. 163—To authorize the vacation of abandoned turnpikes and plank roads, and their establishment as county roads—

Having had the same under consideration, report it back, and recommend its passage.

B. W. CARLISLE, J. B. WILLIAMS,
J. C. MCDONALD, THOS. S. JACKSON,
LINDSEY KELLEY.

Said bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Kelley submitted the following report:

The standing committee on Roads and Highways, to whom was referred H. B. No. 129—Supplementary to an act entitled "an act providing for converting toll roads," passed May 3, 1875, (O. L., vol. 70, page 256)—

Having had the same under consideration, report it back, and recommend its passage.

THOS. S. JACKSON, LINDSEY KELLEY,
JOHN H. BENSON, J. B. WILLIAMS,
C. S. PARKER, J. C. MCDONALD.

Said bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Kelley submitted the following report:

The standing committee on Roads and Highways, to whom was referred S. B. No. 109—To authorize the Clough creek turnpike company to take possession of a county dirt road, and to extend its road from the

east line of Hamilton county to the Mt. Carmel and Nine Mile turnpike, in Clermont county—

Having had the same under consideration, report it back and recommend its passage.

THOS. S. JACKSON, LINDSEY KELLEY,
JOHN H. BENSON, J. B. WILLIAMS,
C. S. PARKER, J. C. MCDONALD.

Said bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Krimmel submitted the following report:

The standing committee on Benevolent Institutions, to whom was referred S. J. R. No. 38—Relating to the institution for education of deaf mutes—

Having had the same under consideration, report it back, and recommend its passage.

C. F. KRIMMEL, GEO. P. TYLER,
G. A. GROVE, D. D. BEEBE,
B. W. CARLISLE, H. W. CURTISS.

Mr. Forrest moved to amend said joint resolution by adding the following:

"*Resolved*, further, That the said committee be instructed to inquire and report how many, if any, pupils are in said institution in violation of law."

Which was agreed to.

The question being on the adoption of said joint resolution, the yeas and nays were taken and resulted—yeas 23, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carson, Curtiss, Fisher, Forrest, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Kelley, Krimmel, Marsh, Owens, Parker, Richards, Sabine, Steedman, Stokes, Tyler, Wagener and Williams—23.

So said joint resolution was adopted.

On motion of Mr. Wagener, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk*.

MONDAY, MARCH 25, 1878—10 o'clock A. M.

The Senate met pursuant to adjournment.

The Journal was read and approved.

Mr. Johnston presented the petition of R. W. Crane and 90 other citizens of Trumbull county, praying for the passage of a law to reduce the fees of county officers.

Which was referred to the committee on Fees and Salaries.

Bills were read the second time and referred as follows:

S. B. No. 156—Mr. Marsh—Directing how cities of the first class, having accepted property or funds, upon condition of establishing and maintaining an astronomical observatory, shall provide for the support of the same.

To the committee on Universities, Colleges and Academies.

S. B. No. 157—Mr. Sabine—To provide for the improving and draining of roads in Montgomery township, Marion county, Ohio.

To the committee on Roads and Highways.

S. B. No. 158—Mr. Steedman—To authorize the appointing of an assistant prosecuting attorney, in certain counties.

To the committee on Judiciary.

H. B. No. 317—Mr. Morrey—To relieve the incorporated village of McConnelsville.

To the committee on Finance.

H. B. No. 196—Mr. White—To change the surnames of persons therein named.

To the committee on Sanitary Laws and Regulations.

H. B. No. 283—Mr. Hume—For the relief of Christian Kingseed.

To the committee on Claims.

On motion of Mr. Forrest, the Senate went into Committee of the Whole for the consideration of S. B. No. 115, and after some time spent therein, arose, reported progress, and asked leave to sit again.

Which was granted.

On motion of Mr. Howland, the Senate took a recess.

THREE O'CLOCK P. M.

Mr. Fisher, on leave, introduced the following bill, which was read the first time:

S. B. No. 159—Regulating pardons of convicts who have served out their time of imprisonment.

Mr. Richards submitted the following report:

The joint committee on Enrollment have examined and found correctly enrolled the following bills and joint resolution:

H. B. No. 226—To authorize the city council of Pomeroy, Ohio, to sell certain lands therein named, and to appropriate the proceeds thereof to the payment of the general indebtedness of said city.

H. B. No. 269—Creating a special school district in Palmyra, Portage county.

H. B. No. 50—To amend section twenty-seven of an act for the reorganization and maintenance of common schools, passed March 6, 1874, (vo . 71, O. L., p. 18).

H. J. R. No. 20—To authorize the Adjutant General to forward to the executive committee, in the city of Marietta, battle-flags, etc., for the reunion to be held in September, A. D. 1878.

WM. JESSUP, F. M. CARTER,
DUNCAN DOW, E. S. PERKINS,
C. F. KRIMMEL, R. G. RICHARDS.

Mr. Richards, on leave, submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred S. B. No. 151—To reinstate a sub-school district in Jackson township, Shelby county—

Having had the same under consideration, report it back and recommend its passage.

J. M. CARSON, R. G. RICHARDS,
THOS. M. BEER, G. A. GROVE.

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Johnston, on leave, submitted the following report:

The committee on Judiciary, to whom was referred S. B. No. 148—Relating to offenses against chastity and morality—

Having had the same under consideration, report it back with the following amendments, and recommend its passage when so amended:

1. After the word "seminary," in line three of section one, insert the following: "Or public institution."

2. In line four, of same section, strike out the word "having" and insert in lieu thereof the words "shall have."

J. R. Johnston, W. T. Forrest,
W. P. Howland, Lyman J. Jackson,
D. Wagener.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Beer, on leave, submitted the following report:

The standing committee on Schools and School Lands, to whom was referred H. B. No. 159—To authorize the creation of a special school district in Harrison township, Van Wert county, Ohio—

Having had the same under consideration, report it back, without recommendation.

R. G. Richards, J. M. Carson,
D. Wagener, Thos. M. Beer.

The bill was ordered to be engrossed and read the third time to-morrow.

Mr. Johnston, on leave, submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 142—To amend section ten of an act entitled "An act for the better security of head contractors, sub-contractors and material men, and to repeal certain acts therein named," (Laws 1877, p. 168)—

Having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

1. In line six, of section one, strike out the word "provided" and insert in lieu thereof the word "described."

2. In line twenty-three, of same section, strike out the word "where" and insert in lieu thereof the word "when."

J. R. Johnston, W. T. Forrest,
W. P. Howland, Lyman J. Jackson,
D. Wagener.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Carson, on leave, submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred H. B. No. 231—To create a special school district, composed of territory in the township of Falls and in county of Hocking—

Having had the same under consideration, report it back without recommendation.

J. M. Carson, R. G. Richards,
Thos. M. Beer, G. A. Grove.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Carson, on leave, submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred H. B. No. 293—To amend section thirty-five of the act of May 1, 1873, (70, v. 195,) entitled "An act for the reorganization and maintenance of common schools"—

Having had the same under consideration, report it back and recommend its passage.

J. M. CARSON, R. G. RICHARDS,
THOS. M. BEER, G. A. GROVE.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Carson, on leave, submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred H. B. No. 271—To create a special school district in Springfield township, Mahoning county—

Having had the same under consideration, report it back without recommendation.

J. M. CARSON, R. G. RICHARDS,
THOS. M. BEER, G. A. GROVE.

Said bill was ordered to be engrossed and read the third time to-morrow.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives, and read the first time:

H. B. No. 409—Mr. Norton—For the relief of Peter Weikert.

H. B. No. 410—Mr. Townsend—To repeal sections three and five of the act as amended April 14, 1863, (S. & S. 768,) entitled "An act for the assessment and taxation of property in this State, and for levying taxes thereon according to its true value in money."

H. B. No. 411—Mr. Jessup—To prescribe the duties of Marshal in certain incorporated villages.

H. B. No. 412—Mr. Luccock—To create a special school district in Richland township, Guernsey county, Ohio.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 416—Mr. Alexander—To authorize the council of Bellaire, Ohio, to appropriate and pay the amount assumed by said city for purchase of site for State tobacco warehouse.

H. B. No. 417—Mr. Sullivan of Hamilton—To authorize the trustees of Spencer township, Hamilton county, Ohio, to sell and convey a certain tract of land, and to reinvest the proceeds.

H. B. No. 418—Mr. Sextro—Supplementary to the act relating to

cities of the first-class, having a population of 150,000 inhabitants, passed May 4, 1869.

H. B. No. 419—Mr. Haley—For the relief of Joseph D. Philbrick and his sureties, treasurer of McDonald township, Hardin county, Ohio.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 420—Mr. Haley—Authorizing the trustees of cemeteries of the village of Kenton, Hardin county, Ohio, to remove dead bodies from the cemetery in said village.

H. B. No. 421—Mr. Booth—To authorize the Board of Public Works to lower the culvert under the canal near the village of Groveport, in Franklin county.

H. B. No. 422—Mr. Sextro—Supplementary to the act entitled "An act for the relief of the poor, and to repeal certain acts therein named." (O. L., vol. 73, p. 233.)

H. B. No. 423—Mr. Williamson—To amend section 1 of the act of April 6, 1876, entitled "An act to amend section 13 of the act of May 1, 1852, entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio," as amended March 30, 1875, and to repeal an act therein named.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 424—Mr. Covert—To secure to children the benefits of an elementary education.

H. B. No. 425—Mr. Covert—To regulate the employment of children.

H. B. No. 426—Mr. Loder—Supplementary to an act to amend sections 1, 2, 4, 5, 7, 8, 9, 10, 11, 12, 14, 16 and 17 of an act entitled "An act to regulate the police force in cities of the first-class, and to repeal an act passed December 18, 1874, entitled an act for the better regulation of the police force in cities of the first-class, having a population of two hundred thousand and over, and to repeal an act entitled an act to establish a board of police commissioners in certain cities of the first-class," passed March 29, 1873, (O. L., vol. 72, p. 51); passed March 24, 1876, (O. L., vol. 76, p. 70,) and supplementary thereto, passed March 17, 1877, (O. L., vol. 74, p. 42.)

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

S. B. No. 42—Mr. Owens—To amend section 1 of an act entitled "An act to authorize the city council of Newark, and the county commissioners, to unite in building a sewer in said city, and to provide the necessary funds therefor," passed April 30, 1877, (O. L., vol. 74, p. 492.)

S. B. No. 56—Mr. Sabine—To authorize the board of education of school district No. 1, Paris township, Union county, Ohio, to borrow money to pay indebtedness incurred in building school house, and levy a tax for said purpose.

S. B. No. 72—Mr. Richards—To authorize the Secretary of State to reissue charters of incorporation which have been lost or destroyed.

Attest: L. A. BRUNNER, *Clerk.*

The President *pro. tem.*, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 99—Mr. Wasson—To prevent fraud in the sale of fertilizers.

H. B. No. 278—Mr. Booth—To change the time of holding the September term of the court of common pleas in Franklin county, in the year 1878.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of—

S. B. No. 93—Mr. Williams—To authorize the trustees of Center township, Monroe county, Ohio, to levy a tax to pay a bond issued for local bounty of George Drake.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Howland, on leave, submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 145—To prevent the introduction and spread of a cattle disease commonly known as Texas or Spanish fever, etc.—

Having had the same under consideration, report it back, with the following amendments, to-wit:

At the end of section 1, insert "provided that this section shall not include common carriers, who are not the owners of the cattle."

Strike out the whole of section 4, make section 5 section 4, and without further recommendation.

W. P. HOWLAND, W. T. FORREST,
LYMAN J. JACKSON, D. WAGENER,
J. R. JOHNSTON.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Richards, on leave, submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 240—To amend an act entitled "An act supplementary

to an act entitled an act to provide for the organization and government of municipal corporations," passed May 7, 1869, passed April 28, 1873, (O. L., vol. 70, p. 179.)—

Having had the same under consideration, report it back and recommend its passage.

R. G. RICHARDS, LYMAN J. JACKSON,
G. M. SALTZGABER, G. A. GROVE.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Forrest, on leave, submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 92—To amend sections 9, 10 and 11 of an act entitled "An act defining the duties of sheriffs and coroners in certain cases," passed February 25, 1824, (S. & C., p. 1397)—

Having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

Strike out of lines 8, and 9, of section 1, the words "and inquire in what manner and by whom the deceased, whose body is there present, came to his or her death."

Add in line 18, of section 1, after the word "the," the words "clerk of the."

W. T. FORREST, LYMAN J. JACKSON,
J. R. JOHNSTON, G. M. SALTZGABER.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Forrest, on leave, submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 133—To amend an act entitled "An act requiring compensation for causing death by wrongful acts, neglect or default," passed March 25, 1851, and to repeal the act amending said act, passed March 7, 1872, (vol. 69, page 22, Ohio Laws)—

Having had the same under consideration, report it back, and recommend its indefinite postponement, because its provisions will be recommended to be incorporated in the code of civil procedure.

W. T. FORREST, LYMAN J. JACKSON,
J. R. JOHNSTON, G. M. SALTZGABER.

Said report was agreed to, and the bill was indefinitely postponed.

On motion of Mr. Forrest, the Senate went into committee of the Whole for the consideration of S. B. No. 115, and after some time spent therein, arose, reported progress, and asked leave to sit again.

Which was granted.

Mr. Carson, on leave, introduced the following bill, which was read the first time:

S. B. No. 160—To regulate charges on palace, dining and sleeping cars.

Mr. Jackson of Perry, on leave, submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 164—To amend section 9 of an act entitled "An act supplementary to an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio," passed May 1, 1852, passed April 15, 1867, (S. & S. 186); as amended February 25, 1869, (O. L., vol. 66, p. 11); as amended April 20, 1874, (O. L., vol. 71, p. 161); as amended April 11, 1876, (O. L., vol. 73, p. 188); as amended March 12, 1877, (O. L., vol. 74, p. 38.)—

Having had the same under consideration, report it back, with following amendments, and recommend its passage when so amended:

Strike out of amended section 9, all after the words "as follows," and at the end of said section insert a new sub-division of said section as follows:

"10. For the formation and encouragement of harvest home festivals, and popular instruction, enjoyment and displays of husbandry incident thereto."

LYMAN J. JACKSON, D. WAGENER,
W. T. FORREST, J. R. JOHNSTON,
G. M. SALTZGABER.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 427—Mr. Hardy of Defiance—To amend section 158 of an act of the jurisdiction and procedure before justices of the peace, and of the duties of constables in civil courts, took effect July 1, 1853, (S. & C., p. 797.)

H. B. No. 428—Mr. Luccock—To require the commissioners of the counties of Butler, Warren, Clinton, Clermont and Fayette to pay a local bounty.

H. B. No. 429—Mr. Booth—To regulate the fees of county auditors, clerks of courts, probate judges, sheriffs, treasurers and recorders, and to repeal sections 1, 2, 3, 5, 6, 8, 9, 11, 16, 24 and 39 of an act entitled "An act to regulate the fees of probate judges, clerks, of the courts, sheriffs, witnesses, jurors, fees in partition, and to repeal certain acts therein named," passed April 18, 1876, (73 O. L., 127.)

Attest: L. A. BRUNNER, *Clerk.*

Mr. Curtiss, on leave, submitted the following report:

The standing committee on Benevolent Institutions, to whom was referred H. B. No. 44, to consider the amendment of Mr. Forrest, to section 33 of said bill—

Having had the same under consideration, report it back and recommend the following as a substitute for said amendment:

"Provided, nevertheless, that the commissioners of Hamilton county be authorized to appropriate for the term of three years such sums, annually, as would otherwise under the provisions of this section pass into the general asylum fund of the State, for the erection and furnishing of such additional buildings as may be necessary for the proper custody and care of the insane of said county.

H. W. CURTISS, GEO. P. TYLER,
THEO. MARSH, D. D. BEEBE,
C. F. KRIMMEL.

On motion of Mr. Curtiss, the consideration of said report was postponed until Wednesday next.

On motion of Mr. Saltzgaber, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

TUESDAY, MARCH 26, 1878—10 o'clock A. M

The Senate met pursuant to adjournment.
The Journal was read and approved.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 430—Mr. Jessup—To appoint a commission for the purpose of compiling and prescribing text books to be used in the public schools of the State.

H. B. No. 431—Mr. Fenton—To authorize the village of Archibald, in Fulton county, Ohio, to transfer certain funds.

H. B. No. 432—Mr. Sextro—Supplementary to an act entitled "An act to provide for the organization and government of municipal corporations," passed May 7, 1869.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

S. B. No. 120—Mr. Tyler—For the relief of W. J. Jacobs and his sureties.

S. B. No. 88—Mr. Dungan—To fix the time for holding an additional term of the district court in Jackson county.

S. B. No. 64—Mr. Howland—Supplementary to an act entitled "An act to provide for the appointment of guardians for imbeciles," passed April 27, 1872, (69, v., O. L., p. 174.)

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bill.

Mr. Seitz presented the petition of Frederic Wolfe and 95 other citizens of Bloom township, Seneca county, asking for the repeal of the act creating the sub-school district called Rockaway.

Which was referred to the committee on Common Schools and School Lands.

Mr. Seitz presented the petition of Horace Huber and 75 other citizens of Clinton township, Seneca county, praying for the repeal of the act creating the sub-school district called Rockaway.

Which was referred to the committee on Common Schools and School Lands.

Bills were read the second time and referred as follows:

S. B. No. 159—Mr. Fisher—Regulating pardons of convicts who have served out their time of imprisonment.

To committee on Judiciary.

H. B. No. 99—Mr. Wasson—To prevent fraud in the sale of fertilizers.

To committee on Agriculture.

H. B. No. 278—Mr. Booth—To change the time of holding the Sep-

tember term of the court of common pleas in Franklin county in the year 1878.

To committee on Judiciary.

S. B. No. 160—Mr. Carson—To regulate charges on palace, dining, and sleeping cars.

To committee on Railroads, Telegraphs and Turnpikes.

Leave of absence was asked and obtained for Mr. Lord until this afternoon.

H. B. No. 301—Mr. Reed of Trumbull—To amend section twenty-eight of an act entitled "An act relating to roads and highways," passed April 11, 1876, (O. L., vol. 73, p. 185.)

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 22, nays 6, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Fisher, Howland, Jackson of Clinton, Jackson of Perry, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, and Wilson—22.

Those who voted in the negative were—

Messrs. Forrest, Grove, Irvine, Johnston, Krimmel and Wagener—6.

So the bill was passed. The title was agreed to.

H. B. No. 106—Mr. Levering—To amend sections 1, 2, 3, 7, and 8, and adding sections 13 and 15 thereto, of an act entitled "An act for the protection of wool growers, and the confiscation of dogs," passed May 5, and took effect June 1, 1877, (O. L., vol. 74, p. 177.)

Was read the third time.

Mr. Beer moved to refer the bill to a select committee of one with instructions to amend as follows:

Strike out sections 4 and 5.

Mr. Howland moved to amend the amendment by striking out the whole of said amendment, and inserting the following:

Strike out all of section 4, after the word "dog," in line 2.

Which was agreed to.

The question recurring on Mr. Beer's motion to refer with instructions to amend as amended—

The same was agreed to, and Mr. Beer was appointed such committee.

Mr. Beer, on leave, submitted the following report:

The select committee of one, to whom was referred H. B. No. 106, with instructions to amend, reports the same back amended as instructed.

T. M. Beer.

Mr. Benson moved that the bill be referred to the committee on Agriculture.

Which was agreed to.

Mr. Krimmel submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled the following bills:

H. B. No. 217—For the relief of George N. Woodward.

H. B. No. 294—For the relief of D. V. Dingman and H. H. Sprague.

H. B. No. 74—To create a special school district of sub-district No. 4, in Dover township, Fulton county, Ohio.

H. B. No. 257—To authorize the incorporated village of Marshallville,

in Wayne county, Ohio, to borrow money for the purchase of a fire engine and apparatus, the construction of cisterns and purchase of a lot and the erection of an engine house.

WM. JESSUP, E. S. PERKINS,
D. DOW, R. G. RICHARDS,
J. R. JOHNSTON, C. F. KRIMMEL,
A. D. MARSH, C. R. HARMON.

Mr. Krimmel submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled the following bill:

S. B. No. 93—An act to authorize the trustees of Center township, Monroe county, Ohio, to levy a tax to pay a bond issued for local bounty of George Drake.

C. F. KRIMMEL, R. G. RICHARDS,
J. R. JOHNSTON, WM. JESSUP,
E. S. PERKINS.

H. B. No. 253—Mr. Greene—Supplementary to the act relating to criminal procedure.

Was read the third time.

Mr. Howland moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 3, after the word "thereof," insert the words, "in open court."

Which was agreed to, and Mr. Howland was appointed such committee.

Mr. Howland, on leave, submitted the following report:

The select committee of one, to whom was referred H. B. No. 253, with instructions to amend, reports the same back amended as instructed.

W. P. HOWLAND.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 30, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, McDonald, Owens, Parker, Richards, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—30.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 26th day of March, 1878

To the Senate:

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint Hon. Lyman J. Jackson of Perry county, to be trustee of the Soldiers' and Sailors' Orphans' Home for the unexpired term of Hon. Thomas Ewing, resigned.

Very respectfully,

RICHARD M. BISHOP, *Governor.*

Mr. Benson moved that the Senate advise and consent to said appointment of Lyman J. Jackson.

On which motion the yeas and nays were ordered, taken, and resulted—yeas 31, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—31.

So the Senate advised and consented to said appointment.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills and joint resolution:

H. B. No. 269—Mr. Harmon—Creating a special school district in Palmyra township, Portage county.

H. B. No. 226—Mr. Carpenter—To authorize the city council of the city of Pomeroy, Ohio, to sell certain lands therein named, and to appropriate the proceeds thereof to the payment of the general indebtedness of said city.

H. B. No. 50—Mr. Kellogg—To amend section 27 of an act entitled "An act for the reorganization and maintenance of common schools," passed March 6, 1874, (v. 71, O. L., p. 18).

H. J. R. No. 20—Mr. Smith—To authorize the Adjutant-General to forward to the executive committee in the city of Marietta, battle flags, etc., for the reunion to be held September, A. D. 1878.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills and joint resolution.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 287—Mr. Carter—Authorizing the council of the incorporated village of Edgerton, in Williams county, State of Ohio, to transfer certain funds.

H. B. No. 303—Mr. Kellogg—To authorize the city of South Toledo to issue bonds and borrow money for the completion of a certain road therein named.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

H. B. No. 285—Mr. Dempcy—To amend an act entitled "an act to amend section 34 of an act entitled 'an act to provide for the creation and regulation of incorporated companies in the State of Ohio,'" passed May 1, 1872, (Swan & Critchfield, 295; Ohio Laws, 74, page 180,) passed May 7, 1877.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays 3, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Fisher, Grove, Howland, Jackson of Clinton, Johnston, Kelley, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—24.

Those who voted in the negative were—

Messrs. Forrest, Irvine and Krimmel—3.

So the bill was passed. The title was agreed to.

H. B. No. 163—Mr. Stubbs—To authorize the vacation of abandoned turnpikes and plank roads, and their establishment as county roads.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Grove, Howland, Jackson of Clinton, Johnston, Kelley, Marsh, McDonald, Parker, Sabine, Saltzgaber, Seitz, Stokes, Tyler, Wagener, Williams and Wilson—24.

Mr. Owens voted in the negative—1.

So the bill was passed. The title was agreed to.

S. B. No. 109—Mr. Armstrong—To authorize the Clough creek turnpike company, to take possession of a county dirt road, and to extend its road from the east line of Hamilton county, to the Mt. Carmel and ni ne mile turnpike, in Clermont county.

Was read the third time.

Mr. Johnston moved to refer the bill to a select committee of one, with instructions to amend as follows:

At the close of section 1 add the following: "Provided, that no tolls shall be charged by said turnpike company for the use of said portion of said road, and the same shall be kept in repair by said company free of expense to the public."

Which was disagreed to.

The question being, "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 23, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton,, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Stokes, Tyler, Wagener, Williams and Wilson—23.

Mr. Johnston voted in the negative—1.

So the bill was passed. The title was agreed to.

H. B. No. 129—Mr. Reed of Ross—Supplementary to an act entitled "An act providing for converting toll roads," passed May 3, 1875, (O. L., v. 70, p. 256).

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 22, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Curtiss, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Johnston, Marsh, McDonald, Parker, Rich-

ards, Sabine, Saltzgaber, Seitz, Sherrick, Stokes, Wagener, Williams and Wilson—22.

Mr. Owens voted in the negative—1.

So the bill was passed. The title was agreed to.

S. B. No. 148—Mr. Grove—Relating to offenses against chastity and morality.

Was read the third time.

Mr. Owens moved to refer the bill to a select committee of one, with instructions to amend as follows:

At the end of section 1 add the following: "But in such case the evidence of the female must be corroborated to the extent required, as to the principal witness in cases of perjury."

Which was agreed to, and Mr. Owens was appointed such committee.

Mr. Owens, on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No. 148, with instructions to amend, reports the same back amended as instructed.

JAS. W. OWENS.

Mr. Forrest moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out the word "seventeen," in line 3, section 1, and insert in lieu thereof the word "twenty-one."

Which was agreed to, and Mr. Forrest was appointed such select committee.

Mr. Forrest, on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No. 148, with instructions to amend, reports the same back amended as instructed.

W. T. FORREST.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 27, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Marsh, McDonald, Owens, Parker, Sabine, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—27.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 265—Mr. Williams—To divide Alliance precinct, in the township of Lexington, and county of Stark, into two election precincts.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

H. B. No. 159—Mr. Rimer—To authorize the creation of a special school district in Harrison township, Van Wert county, Ohio.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 20, nays 5, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Grove, Jackson of Clinton, Johnston, Krimmel, McDonald, Owens, Parker, Sabine, Saltzgaber, Stokes, Wagener and Wilson—20.

Those who voted in the negative were—

Messrs. Howland, Irvine, Richards, Seitz and Sherrick—5.

So the bill was passed. The title was agreed to.

On motion of Mr. Krimmel, the Senate took a recess.

THREE O'CLOCK P. M.

S. B. No. 151—Mr. Carson—To reinstate a sub-school district in Jackson township, Shelby county, Ohio.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 25, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Jackson of Clinton, Johnston, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Sabine, Seitz, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—25.

Mr. Howland voted in the negative—1.

So the bill passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 431—Mr. Fenton—To authorize the village of Archibald, in Fulton county, to transfer certain funds.

H. B. No. 432—Mr. Sextro—Supplementary to an act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

S. B. No. 93—Mr. Williams—To authorize the trustees of Center township, Monroe county, Ohio, to levy a tax to pay a bond, issued for local bounty of George Drake.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bill.

S. B. No. 142—Mr. Howland—To amend section 10 of an act entitled an act for the better security of head contractors, sub-contractors and

material men, and to repeal certain acts therein named, (Laws 1877, page 168).

Was read the third time.

Mr. Saltzgaber moved to refer the bill to a select committee of one, with instructions to amend as follows:

Insert, at the close of section 10, as amended, the following words:

"For filing which, or making any copy thereof, or certificate of date of filing, said recorder shall be entitled to the same fees as is provided by law for like services in regard to chattel mortgages."

Which was agreed to, and Mr. Saltzgaber was appointed such committee.

Mr. Saltzgaber, on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No. 142, with instructions to amend, reports the same back amended as instructed.

G. M. SALTZGABER.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 26, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Carlisle, Carson, Fisher, Forrest, Grove, Howland, Irvine, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Richards. Sabine, Saltzgaber, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—26.

Mr. Curtiss voted in the negative—1.

So the bill was passed. The title was agreed to.

Leave of absence was asked and obtained for Messrs. Jackson, of Perry, and Steedman, for this afternoon and to-morrow.

H. B. No. 231—Mr. Wolf—To create a special school district, composed of territory in the township of Falls, and in county of Hocking.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 21, nays 5, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Fisher, Forrest, Grove, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Sabine, Saltzgaber, Stokes, Tyler, Wagener and Williams—21.

Those who voted in the negative were—

Messrs. Beer, Howland, Richards, Sherrick and Wilson—5.

So the bill was passed. The title was agreed to.

H. B. No. 271—Mr. Mackey—To create a special school district in Springfield township, Mahoning county.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 22, nays 7, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Curtiss, Fisher, Grove, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker Sabine, Saltzgaber, Stokes, Tyler, Wagener and Williams —22.

Those who voted in the negative were—

Messrs. Beer, Carson, Howland, Richards, Seitz, Sherrick and Wilson—7.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE GOVERNOR.

STATE OF OHIO, EXECUTIVE DEPARTMENT.

COLUMBUS, 26th day of March, 1878.

To the Senate:

I have the honor to nominate, and by and with the consent of the Senate, appoint—

David W. Brooks, of Franklin county, to be trustee of the Columbus asylum for the insane, for the term of one year.

Joseph P. Smith, of Pickaway county, to be trustee of the Columbus asylum for the insane for the term of two years.

E. J. Blount, of Franklin county, to be trustee of the Columbus asylum for the insane, for the term of three years.

Dr. Benjamin Myers, of Ashland county, to be trustee of the Columbus asylum for the insane, for the term of four years, and

George W. Morgan, of Knox county, to be trustee of the Columbus asylum for the insane, for the term of five years.

Very respectfully,

RICHARD M. BISHOP, *Governor.*

On motion of Mr. Seitz, said message was referred to the committee on Benevolent Institutions.

H. B. No. 293—Mr. Levering—To amend section 35 of the act of May 1, 1873, (70 volume, 195,) entitled "an act for the organization and maintenance of common schools."

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 29, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—29.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 26th day of March, 1878.

To the Senate:

I have the honor to nominate, and, by and with the consent of the Senate, appoint—

Jabez W. Fitch, of Cuyahoga county, to be trustee of the Cleveland Asylum for the Insane, for the term of one year.

John F. Perry, of Summit county, to be trustee of the Cleveland Asylum for the Insane, for the term of two years.

James Barnett, of Cuyahoga county, to be trustee of the Cleveland Asylum for the Insane, for the term of three years.

Archibald McGregor, of Stark county, to be trustee of the Cleveland Asylum for the Insane, for the term of four years.

D. L. Wadsworth, of Lorain county, to be trustee of the Cleveland Asylum for the Insane, for the term of five years.

Very respectfully,

RICHARD M. BISHOP, *Governor.*

On motion of Mr. Benson, said message was referred to the committee on Benevolent Institutions.

H. B. No. 145—Mr. Dempcy—To prevent the introduction and spread of a cattle disease, commonly known as the Texas or Spanish fever, by the importation and introduction of cattle into the State of Ohio, infected with, or liable to impart to other cattle, said disease, and providing for the recovery of damages, caused by the introduction of such diseased cattle, from owners of such cattle.

Was read the third time.

Mr. Forrest moved to refer the bill to a select committee of one, with instructions to amend as follows:

"Strike out sections 2 and 3, and insert as section 2, "Any person violating the provisions of this act shall be deemed and held to be guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not exceeding $500 nor less than $50, and shall, moreover, be liable to any party injured by bringing such cattle into the State, in double the amount of loss occasioned thereby."

Mr. Wilson moved to amend the instructions as follows:

By striking out all after the word "State," in line 10.

Which was disagreed to.

The question recurring on Mr. Forrest's motion to refer with instructions—

Mr. Saltzgaber moved to amend the instructions as follows:

Strike out the word "double," in line 10 of the instructions proposed.

Which was agreed to.

On demand of Mr. Howland, a call of the Senate was had.

Messrs. Benson, Carlisle and Joy were absent.

On motion of Mr. Johnston, further proceedings under the call were dispensed with.

The question recurring on Mr. Forrest's motion to refer, with instructions to amend as amended—

The yeas and nays were demanded, taken, and resulted—yeas 15, nays 12, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Fisher, Forrest, Irvine, Johnston, Krimmel, Marsh, McDonald, Saltzgaber, Seitz, Stokes, Tyler, Wagener and Williams—15.

Those who voted in the negative were—

Messrs. Beer, Carson, Curtiss, Howland, Jackson of Clinton, Kelley, Lord, Owens, Parker, Richards, Sabine and Wilson—12.

So the motion to refer was agreed to, and Mr. Forrest was appointed such committee.

Mr. Forrest, on leave submitted the following report:

The select committee of one, to whom was referred H. B. No. 145, with instructions to amend, reports the same back amended as instructed.

W. T. FORREST.

Mr. Curtiss moved that the bill be laid upon the table.

Which was disagreed to.

Mr. Johnston moved to refer the bill to a select committee of one with instructions to amend as follows:

In line 2, section 1, between the words "person" and "to," insert the word "knowingly."

Which was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays 6. as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Howland, Jackson of Clinton, Johnston, Joy, Kelley, Marsh, McDonald, Owens, Parker, Richards, Saltzgaber, Seitz, Stokes, Tyler, Wagener and Williams—24.

Those who voted in the negative were—

Messrs. Beer, Irvine, Krimmel, Lord, Sherrick and Wilson—6.

So the bill passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 217—Mr. Parker—For the relief of George W. Woodward.

H. B. No. 294—Mr. Hume—For the relief of D. V. Dingman and H. H. Sprague.

H. B. No. 257—Mr. McCoy of Wayne—To authorize the incorporated village of Marshallville, in Wayne county, Ohio, to borrow money for the purchase of a fire engine and apparatus, the construction of cisterns, the purchase of a lot and the erection of an engine house.

H. B. No. 74—Mr. Fenton—To create a special school district in sub-district No. 4, in Dover township, Fulton county, Ohio.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 169—Mr. Wales—For the relief of the sureties of Charles E. Spence, treasurer of Hamilton township, Warren county, Ohio.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to—

H. B. No. 253—Mr. Greene—Supplementary to the acts relating to criminal procedure.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 298—Mr. Reed of Trumbull—In regard to the boundary monuments on the line between the States of Ohio and Pennsylvania.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has refused to agree to the report of the Conference committee on—

H. B. No. 140—Mr. Maury—To amend section 35 chapter 8, of offenses against public policy, and requests the appointment of another Conference committee.

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Curtiss, the Senate acceded to the request of the House of Representatives, and the President appointed Messrs. Curtiss, Marsh and Stokes as such committee on part of the Senate.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills in which the concurrence of the Senate is requested:

H. B. No. 39—Mr. Wasson—For the relief of the sureties of James A. Lipton, treasurer of Walnut township, Gallia county, Ohio.

H. B. No. 206—Mr. Foster—To authorize boards of education in certain cities to levy a tax for library purposes, and limiting the rate of taxes to be levied for school purposes in certain cities.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT.

COLUMBUS, 26TH DAY OF MARCH, 1878.

To the Senate:

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint—

Thomas D. Styles, of Darke county, to be trustee of the Dayton Asylum for the Insane, for the term of one year.

J. B. Owsley, of Butler county, to be trustee of the Dayton Asylum for the Insane, for the term of two years.

Chas. M. Godfrey, of Putnam county, to be trustee of the Dayton Asylum for the Insane, for the term of three years.

Durbin Ward, of Warren county, to be trustee of the Dayton Asylum for the Insane, for the term of four years.

Henry Schonefeldt, of Montgomery county, to be trustee of the Dayton Asylum for the Insane, for the term of five years.

Very respectfully, RICHARD M. BISHOP, *Governor.*

On motion of Mr. Seitz, said message was referred to the committee on Benevolent Institutions.

MESSAGE FROM THE GOVERNOR.

STATE OF OHIO, EXECUTIVE DEPARTMENT.

COLUMBUS, 26TH DAY OF MARCH, 1878.

To the Senate:

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint—

John Shreiner, of Meigs county, to be trustee of the Athens Asylum for the Insane, for the term of one year.

S. M. McMillen, of Washington county, to be trustee of the Athens Asylum for the Insane, for the term of two years.

Dr. Wm. Waddle, of Ross county, to be trustee of the Athens Asylum for the Insane, for the term of three years.

A. M. Stimpson, of Fayette county, to be trustee of the Athens Asylum for the Insane for the term of four years.

Isaac Stanley, of Athens county, to be trustee of the Athens Asylum for the Insane for the term of five years.

Very respectfully, RICHARD M. BISHOP, *Governor.*

On motion of Mr. Carlisle, said message was referred to the committee on Benevolent Institutions.

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 26TH DAY OF MARCH, 1878.

To the Senate:

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint—

John M. Pugh, of Franklin county; Charles Mains, of Logan county; W. B. Chidlaw, of Hamilton county; Jacob Chenyholmes, of Holmes county; Henry J. Reinmund, of Fairfield county, to be commissioners of the Reform School in Fairfield county, for the terms of one, two, three, four and five years, in the order named herein.

Very respectfully, RICHARD M. BISHOP, *Governor.*

On motion of Mr. Carlisle, said message was referred to the committee on Reform Farm.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 309—Mr. Herrick—To amend section 1, of the act of April 2, 1866, (63 v., 84, S. & S., 783), entitled "An act to authorize the erection, improving, enlarging or constructing additions to town halls, and to repeal an act therein named."

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

H. B. No. 240—Mr. Clough—To amend an act entitled "An act supplementary to an act entitled an act to provide for the organization and government of municipal corporations," passed May 7, 1869, passed April 28, 1873, (O. L., v. 70, p. 179).

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 28, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Saltzgaber, Seitz, Stokes, Tyler, Wagener and Williams—28.

So the bill was passed. The title was agreed to.

S. B. No. 92—Mr. Saltzgaber—To amend sections 9, 10 and 11 of an act entitled "An act defining the duties of sheriffs and coroners in certain cases, passed February 25, 1824, (S. & C. p. 1397).

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 25, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carson, Curtiss, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Saltzgaber, Seitz, Stokes, Tyler, Wagener, Williams and Wilson—25.

Mr. Grove voted in the negative—1.

So the bill passed. The title was agreed to.

H. B. No. 164—Mr. Dow—To amend section 9 of an act entitled "An act supplementary to an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio," passed May 1, 1852; passed April 15, 1867, (S. & S., 186); as amended February 25, 1869, (O. L., v. 66, p. 11); as amended April 20, 1874, (O. L., v. 71, p. 161); As amended April 11, 1876, (O. L., v. 73, p. 188); as amended March 12, 1877, (O. L., v. 74, p. 38).

Was read the third time.

Mr. Johnston moved to refer the bill to a select committee of one with instructions to amend as follows:

At the end of section 1 add the following:

"11. For the protection of birds, and other game."

"12. For the protection of horses, mules and other live stock, and for the prosecution of theft of the same."

Which was agreed to, and Mr. Johnston was appointed such committee.

Mr. Johnston on leave, submitted the following report:

The select committee of one, to whom was referred H. B. No. 164, with instructions to amend, reports the same back amended as instructed.

J. R. JOHNSTON.

Mr. Forrest moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out in lines 7 and 8 the words, "formation and encouragement of camp meetings, Sunday school, temperance, religious and reformatory associations, and for the."

On which motion the yeas and nays were demanded, taken and resulted—yeas 15, nays 13, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Carson, Curtiss, Fisher, Forrest, Irvine, Joy, Krimmel, McDonald, Parker, Saltzgaber, Seitz, Tyler and Wagener —15.

Those who voted in the negative were—

Messrs. Beebe, Beer, Howland, Jackson of Clinton, Johnston, Kelley, Lord, Marsh, Richards, Sabine, Stokes, Williams and Wilson—13.

So the motion was agreed to, and Mr. Forrest was appointed such committee.

Mr. Forrest, on leave, submitted the following report:

The select committee of one, to whom was referred H. B. No. 164, with instructions to amend, reports the same back amended as instructed.

W. T. FORREST.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 18, nays 12, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Carson, Curtiss, Fisher, Forrest, Irvine, Joy, Krimmel, McDonald, Parker, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener and Williams—18.

Those who voted in the negative were—

Messrs. Beebe, Beer, Howland, Jackson of Clinton, Johnston, Kelley, Lord, Marsh, Owens, Richards, Sabine and Wilson—12.

So the bill was passed. The title was agreed to.

Mr. Howland moved to reconsider the vote whereby H. B. No. 145 was passed.

Mr. Richards moved that said motion be laid upon the table.

Which was agreed to.

Mr. Howland moved that a message be sent to the House of Representatives requesting the return of said H. B. No. 145.

Which was agreed to.

S. B. No. 134—Mr. Sherrick—To amend section 4 of an act entitled "An act for the relief of the poor, and to repeal certain acts therein named," passed April 12, 1876, (O. L., v. 73, p. 234).

Was read the third time.

Mr. Sherrick moved that said bill be laid upon the table.

Which was agreed to.

Mr. Carson submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred S. B. No. 131–To repeal an act to create a sub-school

district in Seneca county, Ohio, to be called the Rockaway sub-school district--

Having had the same under consideration, report it back and recommend its passage.

J. M. CARSON, D. WAGENER,
C. F. KRIMMEL, R. C. RICHARDS,
G. A. GROVE, THOS. M. BEER,
H. C. LORD.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Forrest offered the following resolution:

S. R. No. 48—*Resolved*, That when the Senate adjourns upon any day without time being fixed, it shall be until the hour of 9½ o'clock a. m. of the next legislative day; and whenever it shall take a recess upon any day, unless another hour is selected, it shall be until the hour of 2½ o'clock p. m. of the same day.

Resolved, That S. R. No. 6 be and the same is hereby rescinded.

Mr. Owens gave notice of his intention to discuss said resolution, so it went over, under the rule.

The following bills were introduced, on leave, and read the first time:

S. B. No. 161—Mr. Lord—To amend an act entitled "An act to create a board of trustees of the sinking fund in cities of the first class, having a population of 180,000 or over," passed May 3, 1877.

S. B. No. 162—Mr. Lord--Supplementary to an act entitled "An act to authorize the commissioners of Hamilton county to levy a tax for further improving the course of Mill creek," passed May 1, 1873, (70, O. L., 377.)

Mr. Williams submitted the following report:

The standing committee on Sanitary Laws and Regulations, to whom was referred H. B. No. 196--To change the surnames of persons therein named—

Having had the same under consideration, report it back and recommend its passage.

J. B. WILLIAMS, W. H. STOKES,
J. M. ARMSTRONG, D. D. BEEBE.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Sabine submitted the following report:

The standing committee on Agriculture, to whom was referred H. B. No. 228—To compel owners of hedges on partition lines and along public highways to keep the same within certain limits--

Having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended:

At the end of section 1, add "or leave the cuttings from the same on the public highway for a greater length of time than ten days."

W. H. STOKES, J. M. CARSON,
B. W. CARLISLE, JOHN H. BENSON,
J. B. WILLIAMS, H. SABINE.

Said amendment was agreed to, and the bill was ordered to be engrossed, and read the third time to-morrow.

Mr. Wilson submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 286—Providing for building a town hall, etc., in the incorporated village of Lebanon, in Warren county, Ohio—

Having had the same under consideration, report it back and recommend its passage.

THEO. MARSH, G. M. SALTZGABER,
LYMAN J. JACKSON, R. G. RICHARDS,
G. W. WILSON, JAMES B. STEEDMAN.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Stokes submitted the following report:

The standing committee on Agriculture, to whom was referred S. B. No. 147—Relating to county surveyor—

Having had the same under consideration, report it back, without recommendation.

W. H. STOKES, B. W. CARLISLE,
J. B. WILLIAMS, J. M. CARSON,
THOS. S. JACKSON.

Said bill was ordered to be engrossed and read the third time on Wednesday April 3.

Mr. Krimmel submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred H. B. No. 142—To authorize the board of Education of Special school district No. 1, of Carroll and Erie townships, in the county of Ottawa, Ohio, to issue bonds to build a school house and purchase of site—

Having had the same under consideration, report it back, and recommend its passage.

C. F. KRIMMEL, H. C. LORD,
D. WAGENER, THOS. M. BEER.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Carson submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred H. B. No. 167—To transfer territory from Paris special school district to Paris township school district, Stark county Ohio—

Having had the same under consideration, report it back, and recommend its passage.

J. M. CARSON, C. F. KRIMMEL,
D. WAGENER, H. C. LORD,
R. G. RICHARDS, G. A. GROVE,
THOS. M. BEER.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 227—To authorize the city council of the city of Mansfield to issue bonds for water works purposes—

Having had the same under consideration, report it back and recommend its passage.

THEO. MARSH, G. M. SALTZGABER,
R. G. RICHARDS, G. W. WILSON,
JAMES B. STEEDMAN.

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Irvine submitted the following report:

The committee on Insurance, to whom was referred S. B. No. 86—To amend section 7 of an act entitled "An act to provide for establishing an insurance department in Ohio, passed March 12, 1872, amended April, 1873, (v. 69, O. L., p. 34; Sayler's Stat. of Ohio, chap. 2,154, p. 2,605), and section 11, chap. 2, of an act to regulate insurance companies doing an insurance business in the State of Ohio, passed April 27, 1872, amended April, 1873, (v. 69, O. L., p. 153; Sayler's Stat. chap. 2,218, p. 2,738)—

Having had the same under consideration, report it back, and recommend its passage.

JOHN IRVINE, G. M. SALTZGABER,
W. T. FORREST, C. S. PARKER,
GEO. W. WILSON, THEO. MARSH.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Irvine submitted the following report:

The standing committee on Insurance, to whom was referred S. B. No. 116—Supplementary to an act entitled "An act to regulate insurance companies doing an insurance business in the State of Ohio," passed April 27, 1872, (O. L., v. 69—140)—

Having had the same under consideration, report it back, and recommend its passage.

JOHN IRVINE, G. W. WILSON,
W. T. FORREST, C. S. PARKER,
G. M. SALTZGABER, THEO. MARSH.

Said bill was ordered to be engrossed and read the third time tomorrow.

On motion of Mr. Krimmel, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

WEDNESDAY, MARCH 27, 1878—10 o'clock A. M.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Moore.

The Journal was read and approved.

The President laid before the Senate a communication from the Cincinnati Chamber of Commerce, in reference to the desires of said Chamber in regard to the issuing of $2,000,000 of bonds for the Cincinnati Southern Railroad.

Which, on motion was referred to the committee on Railroads, Telegraphs and Turnpikes.

Mr. Marsh presented the petition of Geo. H. Smith and 700 other citizens of Leesville, Ohio, against the repeal of the Adair law.

Which was referred to the committee on Sanitary Laws and Regulations.

Mr. Jackson of Clinton presented the petition of A. W. Doan and 145 other citizens of Clinton county, asking the passage of S. B. No. 139.

Which was referred to the committee on Sanitary Laws and Regulations.

Mr. Marsh presented the petition of E. I. Morris, and 480 other citizens of Cincinnati, Hamilton county, against the repeal of the Adair law.

Which was referred to the committee on Sanitary Laws and Regulations.

Bills were read the second time and referred as follows:

H. B. No. 287—Mr. Carter—Authorizing the council of the incorporated village of Edgerton, in Williams county, State of Ohio, to transfer certain funds.

Mr. Saltzgaber moved that said bill be placed on the calendar for third reading to-morrow.

Which was agreed to.

H. B. No. 303—Mr. Kellogg—To authorize the city of South Toledo to issue bonds and borrow money, for the completion of a certain road therein named.

To committee on Municipal Corporations.

H. B. No. 265—Mr. Williams—To divide Alliance precinct, in the township of Lexington, and county of Stark, into two election precincts.

To committee on Privileges and Elections.

H. B. No. 169—Mr. Wales—For the relief of the sureties of Chas. E. Spence, treasurer of Hamilton township, Warren county, Ohio.

To committee on Finance.

H. B. No. 39—Mr. Wasson—For the relief of the sureties of James A. Tipton, treasurer of Walnut township, Gallia county, Ohio.

To committee on Finance.

H. B. No. 206—Mr. Foster—To authorize boards of education in certain cities to levy a tax for library purposes, and limiting the rate of taxes to be levied for school purposes in certain cities.

To committee on Finance.

H. B. No. 298—Mr. Reed of Trumbull—In regard to the boundary monuments on the line between the States of Ohio and Pennsylvania.

To committee on Judiciary.

H. B. No. 309—Mr. Herrick—To amend section 1 of the act of April 2, 1866, (63 vol. 84; Swan & Sayler, 783), entitled "An act to authorize the erection, improving, enlarging or constructing additions to town halls, and to repeal an act therein named."

To committee on Finance.

S. B. No. 161—Mr. Lord—To amend an act entitled "An act to create a board of trustees of the sinking fund in cities of the first class having a population of 180,000 or over," passed May 3, 1877.

To committee on Municipal Corporations.

S. B. No. 162—Mr. Lord—Supplementary to an act entitled "An act to authorize the commissioners of Hamilton county to levy a tax for further improving the course of Mill Creek," passed May 1, 1873, (70, Ohio Laws 377).

To committee on Municipal Corporations.

H. B. No. 191—Mr. Sullivan of Hamilton—Authorizing the commissioners of Hamilton county to repair, and to keep in repair, the approaches to the Union bridge.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 29, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Sabine, Saltzgaber, Seitz, Stokes, Tyler, Williams and Wilson—29.

So the bill was passed. The title was agreed to.

S. B. No. 131 —Mr. Seitz—To repeal an act to create a sub-school district in Seneca county, Ohio, to be called the Rockaway sub-school district.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 28, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Lord, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Williams and Wilson—28.

So the bill was passed. The title was agreed to.

H. B. No. 167—Mr. Worley—To transfer territory from Paris special school district to Paris township district, Stark county, Ohio.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 26, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Fisher, Forrest, Grove, Jackson of Clinton, Joy, Johnston, Kelley, Lord, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Williams and Wilson—26.

Mr. Carson voted in the negative—1.

So the bill passed. The title was agreed to.

H. B. No. 227—Mr. Bloom—To authorize the city council of the city of Mansfield to issue bonds for water works purposes.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 30, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Irvine. Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Williams and Wilson —30.

So the bill was passed. The title was agreed to.

H. B. No. 142—Mr. Ellis—To authorize the board of education of special school district No. 1, of Carroll and Erie townships, in the county of Ottawa, Ohio, to issue bonds to build a school house, and purchase of site.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 23, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Curtiss, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Stokes, Tyler, Williams and Wilson—23.

So the bill passed. The title was agreed to.

H. B. No. 196—Mr. White—To change the surnames of persons therein named.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 28, nays 3, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Steedman, Stokes, Tyler and Williams—28.

Those who voted in the negative were—

Messrs. Forrest, Seitz and Sherrick—3.

So the bill was passed. The title was agreed to.

Mr. Krimmel submitted the following report:

The joint committee on Enrollment have examined and found correctly enrolled the following bill:

H. B. No. 262—An act supplementary to an act entitled "An act to provide for the straightening, cleaning out, widening, deepening and otherwise improving certain ditches, drains and water courses in Wood county, Ohio," passed April 11, 1876, (O. L., vol. 63, p. 303).

Duncan Dow,	F. M. Carter,
C. R. Harmon,	A. D. Marsh,
Wm. Jessup,	C. F. Krimmel,
J. R. Johnston,	R. G. Richards.

S. B. No. 86—Mr. Forrest—To amend section 7 of an act entitled "An act to provide for establishing an insurance department in the State of Ohio," passed March 12, 1872, amended April, 1873, (vol. 69, O. L., p. 34, Sayler's Statutes of Ohio, chapter 2154, p. 2605), and section 11, chapter 2, of an act to regulate insurance companies doing an insurance business in the State of Ohio, passed April 27, 1872, amended April, 1873, (O. L., vol. 69, p. 153, Sayler's Statutes, chapter 2218, p. 2738).

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 30, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Williams and Wilson—30.

So the bill was passed. The title was agreed to.

S. B. No. 116—Mr. Wilson—Supplementary to an act entitled "An act to regulate insurance companies doing an insurance business in the State of Ohio," passed April 27, 1872, (O. L., vol. 69, p. 140).

Was read the third time.

Mr. Forrest moved to refer the bill tc a select committee of one with instructions to amend as follows:

Strike out, in line 12, the word "combined," and insert "American" in lieu thereof.

Which was agreed to, and Mr. Forrest was appointed such committee.

Mr. Forrest, on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No. 116, with instructions to amend, reports the same back amended as instructed.

W. T. Forrest.

Mr. Saltzgaber moved to refer the bill to a select committee of one, with instructions to amend as follows:

By adding, after the word "four," in line 13, the words "and one-half."

Which was agreed to, and Mr. Saltzgaber was appointed such committee.

Mr. Saltzgaber, on leave submitted the following report:

The select committee of one, to whom was referred S. B. No. 116, with instructions to amend, reports the same back amended as instructed.

G. M. Saltzgaber.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 28, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Williams and Wilson—28.

So the bill was passed. The title was agreed to.

H. B. No. 282—Mr. Stubbs—To compel owners of hedge fences on partition lines and along public highways to keep the same within certain limits.

Was read the third time.

Mr. Johnston moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 2, of section 3, strike out the words "or persons feeling himself, or themselves, endamaged," and insert in lieu thereof the word "damaged."

Also, in line 3, section 2, strike out the words "or persons who may be endamaged," and insert in lieu thereof the word "damaged."

Which was agreed to, and Mr. Johnston was appointed such committee.

Mr. Johnston, on leave, submitted the following report:

The select committee of one, to whom was referred H. B. No. 282, with instructions to amend, reports the same back amended as instructed.

J. R. Johnston.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 22, nays 5, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, McDonald, Owens,

Parker, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Williams and Wilson—22.

Those who voted in the negative were—

Messrs. Forrest, Johnston, Krimmel, Marsh and Richards—5.

So the bill was passed. The title was agreed to.

H. B. No. 286—Mr. Wales—To authorize the incorporated village of Lebanon, Warren county, Ohio, to issue and sell certain bonds, for the purpose of constructing a gallery in the public hall of said village, and to furnish said hall and the departments connected therewith.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 28, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Sherrick, Stokes, Tyler, Williams and Wilson—28.

So the bill was passed. The title was agreed to.

Mr. Forrest moved that the report of the committee on Benevolent Institutions, on H. B. No. 44, be taken up.

Which was agreed to.

The question being on agreeing to the amendment reported by the committee as a substitute for pending amendments—

Mr. Howland moved to substitute the following for the substitute recommended by the committee:

"That the commissioners of said county be and they are hereby authorized to submit to the voters of Hamilton county, at any general election, and upon such notice and in such papers as may be prescribed by the board of control of said county, whether the said commissioners shall execute and deliver a deed to the Governor of Ohio, conveying to the State of Ohio, free of charge to the State, all the buildings, lands and appurtenances of Longview Asylum. If a majority of the votes cast upon that question shall be in the affirmative, then said commissioners are hereby authorized and required, for and on behalf of said county, to execute and deliver said deed to the Governor, and the State of Ohio shall accept said property, and occupy it for receiving and treating the curable insane; and the Governor shall, by and with the advice and consent of the Senate, appoint one trustee for said asylum to serve for one year, one for two, one for three, one for four, and one for five years; and with like advice and consent shall appoint their successors, each for the term of five years; and said trustees shall appoint the same officers; and said appointed officers shall receive the same pay. Said trustees and officers shall discharge the same duties, and they and said asylum shall be subject to and governed by all the laws for the regulation and government of the other institutions of the State for the care and treatment of the curable insane, until otherwise provided by law. The incurable or chronic insane of Hamilton county, in said asylum at the time the State takes charge of said asylum, shall be removed therefrom and provided for by Hamilton county.

On motion of Mr. Curtiss, the Senate took a recess.

THREE O'CLOCK P. M.

When the senate took a recess, it had under consideration H. B. No. 44, the pending question being on agreeing to Mr. Howland's substitute for the substitue reported from the committee on Benevolent Institutions—

On which the yeas and nays were taken and resulted—yeas, 14, nays 13, as follows:

Those who voted in the affirmative were—

Messrs. Beer, Curtiss, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Owens, Richards, Sabine, Seitz and Wilson—14.

Those who voted in the negative were—

Messrs. Armstrong, Carson, Forrest, Joy, Krimmel, Lord, Marsh, McDonald, Saltzgaber, Sherrick, Stokes, Tyler and Williams—13.

So the substitute was agreed to.

On demand of Mr. Forrest, a call of the Senate was had.

Leave of absence was asked for and obtained for Messrs. Beebe and Wagener for this afternoon, on account of sickness.

Messrs. Carlisle and Dungan were absent.

Mr. Howland moved that further proceedings under the call be dispensed with.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 14 nays 15, as follows:

Those who voted in the affirmative were—

Messrs. Beer, Carson, Curtiss, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Richards, Sabine, Saltzgaber, Seitz, Sherrick, and Wilson—14.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Fisher, Forrest, Grove, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker Steedman, Stokes and Tyler —15.

So the motion was disagreed to.

Leave of absence was asked for and obtained for Mr. Carlisle, for this afternoon, on account of sickness.

Leave of absence was asked for and obtained for Mr. Dungan, until to-morrow.

Mr. Seitz moved that further proceedings under the call be dispensed with.

Which was agreed to.

The question recurring on agreeing to the substitute reported by the committee on Benevolent Institutions, as amended—

The yeas and nays were demanded, taken, and resulted—yeas 14, nays 16, as follows:

Those who voted in the affirmative were—

Messrs. Beer, Fisher, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Owens, Richards, Sabine, Saltzgaber, Seitz and Wilson—14.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Forrest, Grove, Joy, Krimmel, Lord, Marsh, McDonald, Parker, Sherrick, Steedman, Stokes, Tyler and Williams—16.

So the same was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays 8, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler and Williams—23.

Those who voted in the negative were—

Messrs. Beer, Howland, Jackson of Clinton, Johnston, Kelley, Richards, Sabine and Wilson—8.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

H. B. No. 262—Mr. Sage—Supplementary to an act entitled "An act to provide for the straightening, clearing out, widening, deepening and otherwise improving certain ditches, drains and water courses in Wood county, O.," passed April 11, 1876, (O. L., vol. 63, page 303).

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bill.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 356—Mr. Worley—To provide for the issue and payment of bonds, by the commissioners of Stark county, to meet a deficiency in the levy for county funds in said county.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Sherrick moved that the constitutional rule requiring bills to be read "on three different days" be suspended, that H. B. No. 356 may be read the second time.

On which motion the yeas and nays were taken, and resulted—yeas 26, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler and Wilson—26.

So the motion was disagreed to.

On demand of Mr. Seitz, a call of the Senate was had.

Messrs. Lord and Krimmel were absent.

On motion of Mr. Joy, further proceedings under the call were dispensed with.

Mr. Richards moved that the vote whereby the Senate refused to suspend the rules in order that H. B. No. 356 might be read the second time, be re-considered.

Which was agreed to.

The question recurring on the motion to suspend the rule—

The yeas and nays were ordered, taken, and resulted—yeas 30, nays none, as follows;

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Williams and Wilson—30.

So the motion was agreed to, and said bill was read the second time, and on motion was referred to the committee on Finance.

The following bills were introduced and read the first time:

S. B. No. 163—Mr. Armstrong—To authorize the election of three additional judges in the 1st judicial district.

S. B. No. 164—Mr. Johnston—Supplementary to an act entitled "An act to provide for the organization and government of municipal corporations," passed May 7, 1869, (O. L., vol. 66, p. 149 et seq).

S. B. No. 165—Mr. Beer—To cure defects in the establishment of ditches.

Mr. Jackson, of Perry, submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 141—Entitled "A bill to change the common pleas districts of the State, and to give greater efficiency to the common pleas and district courts—

Having had the same under consideration, report it back, with the following amendments, and without further recommendation.

In section one, line six, substitute the name "Clark" for the name "Darke."

Strike out of section three, line two, all after the word "and," and add "by rule of court or otherwise arrange for a presiding judge in holding District Courts."

Strike out of section four, all following the word "sooner," and add, "relieved by assignment, otherwise by the judges of the Supreme Court. And in fixing the terms of courts in each of said districts, a majority of said designated judges shall fix the times for holding district courts, and they, with the other Common Pleas judges, the times for holding the Common Pleas Courts as now provided by law."

After section seven, insert new section as follows:

SECTION 8. That section 17 of the act entitled "An act to establish the superior court of Cincinnati," passed April 7, 1854, and all portions of said act conferring upon said superior court as general term, jurisdiction to entertain petitions in error and to reverse, vacate or modify judgments and orders of said court at special term, shall be, and are hereby repealed. All proceedings in error which shall be pending in said court on the first Monday of October, 1878, shall be by said court at once certified to the district court of the First Judicial District, and the clerk shall forthwith transmit to said district court the papers in such cases, with a transcript of the docket and journal entries therein. Said district court shall thereupon have full jurisdiction of such cases and the conditions of all undertakings therein shall apply to the orders and decrees of said district court.

Strike out section eight of original bill and insert a section as follows:

"SEC. 9. This act shall take effect on the first Monday of October, A. D. 1878.

W. T. FORREST, LYMAN J. JACKSON,
J. R. JOHNSTON, G. M. SALTZGABER,
W. P. HOWLAND.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time on Thursday, April 4, 1878.

Mr. Saltzgaber submitted the following report:

The standing committee on Public Expenditures, to whom was referred S. J. R. No. 33—To terminate the labors of the codifying commission—

Having had the same under consideration, report it back, with the following amendment, and recommend its adoption, when so amended:

To strike out the words "compelled and," in line two of resolution one.

To strike out the word "first," in line three, of resolution one, and insert "tenth."

To strike out the last "and" in resolution one, and all of the second resolution.

JOHN SEITZ, G. M. SALTZGABER,
J. B. WILLIAMS, J. C. FISHER,
C. S. PARKER.

Said amendments were agreed to, and—

On motion of Mr. Seitz the further consideration of said joint resolution was postponed until to-morrow.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred S. B. No. 129—To authorize the council of the village of Coshocton to transfer certain funds mentioned therein—

Having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH, G. W. WILSON,
LYMAN J. JACKSON, JAMES B. STEEDMAN,
G. M. SALTZGABER, R. G. RICHARDS.

Said bill was ordered to be engrossed, and read the third time to-morrow.

Mr. Sabine submitted the following report:

The standing committee on Agriculture, to whom was referred substitute for H. B. No. 106—For protection of wool growers, etc.—

Having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

In line 2, section 7, after the word "enticed," add the words "or stolen;" and in line 3, after the word, "owner," add "such person or persons so stealing or enticing away may be prosecuted as in other criminal prosecutions for stealing."

W. H. STOKES, THOS. S. JACKSON,
JOHN H. BENSON, J. B. WILLIAMS,
H. SABINE.

Said amendments were agreed to.

Mr. Seitz moved that said bill be laid upon the table.

Which was agreed to.

Mr. Owens moved to take from the table S. J. R. No. 34.

Which was agreed to.

Mr. Saltzgaber moved that the further consideration of said joint resolution be postponed until Wednesday next.

Which was disagreed to.

The question being on the adoption of said joint resolution, the yeas and nays were taken, and resulted—yeas 19, nays 7, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Jackson of Perry, Johnston, Kelley, Lord, Marsh, McDonald, Owens, Richards, Sabine, Steedman, Tyler and Wilson—19.

Those who voted in the negative were—

Messrs. Grove, Jackson of Clinton, Krimmel, Parker, Saltzgaber, Seitz and Sherrick—7.

Not having received the three-fifths majority required by the constitution, said joint resolution was lost.

Mr. Sherrick submitted the following report:

The standing committee on finance, to whom was referred—

H. B. No. 356—To provide for the issuing and payment of bonds by the commissioners of Stark county, to meet a deficiency in the levy for county funds, in said county—

Having had the same under consideration, report it back and recommend its passage.

J. SHERRICK, JOHN SEITZ,
J. M. CARSON, H. W. CURTISS,
THOS. M. BEER.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Johnston moved to reconsider the vote by which the amendment to H. B. No. 145 was agreed to.

Mr. Johnston moved that said motion be laid upon the table.

Which was agreed to.

Mr. Tyler offered the following joint resolution:

S. J. R. No. 41—*Be it resolved by the General Assembly of the State of Ohio*, That it be and is hereby made the duty of the Governor, Auditor of State and Attorney-General to confer with the proper authorities of the county of Hamilton and Longview Asylum as to the price and equitable terms upon which said asylum and the government thereof can be transferred to the State, and to report to this General Assembly.

Mr. Johnston gave notice of his intention to discuss said joint resolution, so it laid over under the rule.

Mr. Richards offered the following resolution:

S. R. No. 49—*Resolved*, That the Sergeant-at-Arms be, and he is hereby ordered under the direction of the standing committee on State Buildings, to procure carpet and furniture for the new committee room; such carpet and furniture to cost not exceeding in amount the sum of $300, which sum shall be paid from the contingent fund of the Senate.

Mr. Tyler gave notice of his intention to discuss said resolution, so it laid over under the rule.

Mr. Saltzgaber moved that H. B. No. 130 be taken from the table.

Which was agreed to.

On motion of Mr. Saltzgaber, said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Sherrick submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 317—To relieve the incorporated village of McConnelsville—

Having had the same under consideration, report it back, and recommend its passage.

J. SHERRICK, THOS. M. BEER.
J. M. CARSON, JOHN SEITZ,
H. W. CURTISS.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Williams submitted the following report:

The standing committee on Agriculture, to whom was referred substitute for H. B. No. 99—To prevent fraud in sale of fertilizers—

Having had the same under consideration, report it back, and recommend its passage.

W. H. Stokes, John H. Benson,
J. B. Williams, Thos. S. Jackson.
H. Sabine.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Seitz submitted the following report:

The standing committee on Public Expenditures, to whom was referred S. B. No. 12—To amend section 1 of an act entitled "An act to secure collection of delinquent taxes," passed and took effect March 31, 1877—

Having had the same under consideration, report it back, and recommend its indefinite postponement for the reason that the same provision has been inserted in the Revised Tax Laws.

John Seitz, G. M. Saltzgaber,
J. B. Williams, H. Sabine,
C. S. Parker, J. C. Fisher.

The report of the committee was agreed to, and the bill was indefinitely postponed.

Mr. Sherrick submitted the following report:

The standing committee on Finance, to whom was referred S. B. No. 117—To authorize the commissioners of Lucas county to borrow an amount of money upon the bonds of said county not exceeding the sum of $100,000—

Having had the same under consideration, report it back, with following amendment, and recommend its passage when so amended:

In section 1, line 4, strike out "one hundred thousand" and insert "fifty thousand."

Johnson Sherrick, Thos. M. Beer,
John Seitz, H. W. Curtiss,
J. M. Carson.

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the adoption of the following joint resolution:

S. J. R. No. 38—Mr. Lord—Relating to the institution for education of deaf mutes.

Attest: L. A. Brunner, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives accedes to the request of the Senate, and herewith returns—

H. B. No. 145—Mr. Dempcy.

Attest: L. A. Brunner, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to—

H. B. No. 164—Mr. Dow—To amend section 9 of an act entitled "An

act supplementary to an act entitled 'An act to provide for the creation and regulation of incorporated companies in the State of Ohio,'" passed May 1, 1852; passed April 15, 1867, (S. &. S. 186); as amended Feb. 25, 1869, (O. L., v. 66, p. 11); as amended April 20, 1874, (O. L., v. 71, p. 161); as amended April 11, 1876, (O. L., v. 73, p. 188); as amended March 12, 1877, (O. L., v. 74, p. 38.)

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 373—Mr. Carpenter—To amend section 7 of an act to provide for the election of township assessors, and to prescribe their duties, passed and took effect April 4, 1859; amended February 24, 1861, as further amended March 13, 1865, (O. L., v. 62, p. 41,) (S. & S., p. 19.)

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of—

S. B. No. 145—Mr. Richards—To divide the township of Perry, county of Columbiana, into two election precincts, and to repeal a certain act therein named.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution in which the concurrence of the Senate is requested:

H. J. R. No. 23—Mr. Van Cleaf—In relation to contract for the keeping of insane in Lucas county insane asylum.

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Krimmel, said joint resolution was referred to the committee on Benevolent Institutions.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 433—Mr. Meuser—To revise and consolidate the laws relating to procedure in probate courts.

H. B. No. 434—Mr. Hitchcock—To authorize the board of education of Chardon school district No. 1, in the county of Geauga, to issue bonds, to cancel certain outstanding bonds, refund a school house debt, and provide for the payment of the same.

H. B. No. 435—Mr. Cowgill—To authorize the board of education of Goshen township, Champaign county, to issue bonds to build a school house.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 436—Mr. Groschner—To authorize the board of education of Napoleon, Henry county, to issue bonds for the redemption of maturing bonds already outstanding.

H. B. No. 437—Mr. Achauer—Authorizing the county commissioners of Muskingum county, in the State of Ohio, to levy an additional poor tax.

H. B. No. 438—Mr. Achauer—To authorize the commissioners of Muskingum county to borrow money and build a county infirmary.

H. B. No. 439—Mr. Oglevee—To create a special school district in Madison township, Clark county.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 440—Mr. Hayman—To authorize the commissioners of Scioto county to borrow money on the bonds of the county to discharge the existing liabilities of said county now in the shape of turnpike floating bonds.

H. B. No. 441—Mr. Clough—Relating to contingent rights of dower and the mode of fixing the value thereon in money.

H. B. No. 442—Mr. Sage—Supplementary to an act amendatory of an act entitled "An act relating to ditches," passed and took effect April 12, 1871, (O. L., v. 68, pp. 66 and 67), and the acts amendatory thereof.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives, and read the first time:

H. B. No. 443—Mr. Wolf—To authorize the election of an additional judge of the court of common pleas in the first sub-division of the seventh judicial district of the State of Ohio.

H. B. No. 444—Mr. Hardy of Defiance—To amend an act to amend section 158 of an act of the jurisdiction and procedure before justices of the peace, and of the duties of constables in civil courts, passed March 14, 1853, (Curwin, chap. 1204), passed April 22, 1871, (S. S., v. 3, chap. 1999, p. 2476.)

H. B. No. 445—Mr. Dunham—To authorize the council of the incorporated village of Clyde, to issue bonds to purchase a steam fire engine and fire apparatus.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 446—Mr. Tyler of Wyandot—To amend section 92 of an act entitled "An act for the reorganization and maintenance of common schools," passed May 1, 1873.

H. B. No. 447—Mr. Groschner—To define certain water courses.

H. B. No. 448—Mr. Covert—To protect judgment creditors.

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Carson, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

THURSDAY, MARCH 28, 1878—10 o'clock A. M.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Moore.

The Journal was read and approved.

Mr. Richards moved that S. R. No. 49 be taken from the table.

Which was agreed to.

The question being on the adoption of said resolution, the yeas and nays were ordered, taken, and resulted—yeas 26, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Curtiss, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Johnston, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Williams and Wilson—26.

So the resolution was adopted.

Leave of absence was asked and obtained for Mr. Howland for to-day.

Mr. Richards submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled the following bills:

H. B. No. 301—To amend section 28 of an act entitled "An act relating to roads and highways," as amended April 11, 1876, (O. L., vol. 73, p. 185.)

H. B. No. 253—Supplementary to the acts relating to criminal procedure.

H. B. No. 271—To create a special school district in Springfield township, Mahoning county.

H. B. No. 293—To amend section 35 of the act of May 1, 1873, (70 v. 195) entitled "An act for the reorganization and maintenance of common schools."

H. B. No. 231—To create a special school district composed of territory in the township of Falls, and in the county of Hocking.

J. W. WASHBURN, F. M. CARTER,
C. R. HARMON, WM. JESSUP,
J. R. JOHNSTON, C. F. KRIMMEL,
R. G. RICHARDS.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 155—Mr. Clough—To authorize the council of the village of Middletown, Butler county, Ohio, to make a contract with the Middletown gas company for lighting streets, alleys and public buildings for a

period not to exceed ten years, and to levy taxes to pay the cost as it becomes due by the terms of said contract.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill in which the concurrence of the Senate is requested:

H. B. No. 411—Mr. Jessup—To prescribe the duties of marshal in certain incorporated villages.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Stokes presented the petition of Alston Ellis, and 162 other citizens of Butler county, petitioning for the passage of H. B. No. 4—Mr. Bohl.

Which was referred to the committee on Public Printing.

Bills were read the second time and referred as follows:

S. B. No. 163—Mr. Armstrong—To authorize the election of three additional judges in the first judicial district.

To committee on Judiciary.

S. B. No. 164—Mr. Johnston—Supplementary to an act entitled "An act to provide for the organization and government of municipal corporations, passed May 7, 1869, (O. L., vol. 66, p. 149 et. seq.)

To committee on Judiciary.

S. B. No. 165—Mr. Beer—To cure defects in the establishment of ditches.

To committee on Drains and Drainage.

H. B. No. 373—Mr. Carpenter—To amend section 7 of an act to provide for the election of township assessors, and to prescribe their duties, passed and took effect April 4, 1859, amended February 24, 1862, as further amended March 13, 1865, (Ohio Laws, volume 62, page 41; Swan & Sayler, page 19.)

To committee on Salaries and Fees of Public Officers.

H. B. No. 287—Mr. Carter—Authorizing the council of the incorporated village of Edgerton, in Williams county, State of Ohio, to transfer certain funds.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Curtiss, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Johnston, Kelley, Krimmel, Marsh, McDonald, Owens, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Williams and Wilson—23.

So the bill was passed.

Mr. Saltzgaber moved that the preamble be stricken from the title.

Which was agreed to.

The title, as amended, was agreed to.

S. B. No. 129—Mr. Fisher—To authorize the council of the village of Coshocton to transfer certain funds mentioned therein.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 20, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Curtiss, Fisher, Forrest, Irvine, Johnston, Kelley, Marsh, McDonald, Owens, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Williams and Wilson—20.

So the bill was passed. The title was agreed to.

H. B. No. 356—Mr. Worley—To provide for the issuing and payment of bonds by the commissioners of Stark county, to meet a deficiency in the levy for county fund in said county.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Curtiss, Fisher, Forrest, Irvine, Johnston, Kelley, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Williams and Wilson—22.

So the bill was passed.

Mr. Sherrick moved that the preamble be stricken from the title.

Which was agreed to.

The title, as amended, was agreed to.

S. B. No. 117—Mr. Steedman—To authorize the commissioners of Lucas county to borrow an amount of money upon the bonds of said county, not exceeding $100,000.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 21, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Curtiss, Fisher, Forrest, Irvine, Johnston, Joy, Kelley, Marsh, McDonald, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Williams and Wilson—21.

So the bill was passed.

Mr. Steedman moved to amend the title by striking out the words "one hundred," and inserting in lieu thereof the word "fifty."

Which was agreed to.

The title, as amended, was agreed to.

H. B. No. 317—Mr. Morrey—To relieve the incorporated village of McConnelsville.

Was read the third time.

Mr. Johnston moved to refer the bill to a select committee of one with instructions to strike out the preamble.

Which was agreed to, and Mr. Johnston was appointed such committee.

Mr. Johnston, on leave, submitted the following report:

The select committee of one, to whom was referred H. B. No. 317, with instructions to amend, reports the same back amended as instructed.

J. R. Johnston.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Curtiss, Fisher, Forrest, Irvine, Johnston, Joy, Kelley, Marsh, McDonald, Owens, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Williams and Wilson—22.

So the bill passed. The title was agreed to.

H. B. No. 99—Mr. Wasson—To prevent fraud in the sale of fertilizers.

Was read the third time.

Mr. Saltzgaber moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 3, section 3, strike out the words "one hundred," and insert in lieu thereof the word "ten."

Which was agreed to.

Mr. Johnston moved to reconsider the vote whereby said motion was agreed to.

Which was agreed to.

Mr. Curtiss moved to amend the instructions as follows:

Strike out "'ten," and insert "twenty-five."

Which was agreed to.

The question recurring on Mr. Saltzgaber's motion to refer with instructions as amended—

The same was agreed to, and Mr. Saltzgaber was appointed such committee.

Mr. Saltzgaber, on leave, submitted the following report:

The select committee of one, to whom was referred H. B. No. 99, with instructions to amend, reports the same back amended as instructed.

G. M. SALTZGABER.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 23, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Curtiss, Fisher, Forrest, Grove, Irvine, Johnston, Joy, Kelley, Lord, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Stokes, Tyler, Williams and Wilson—23.

So the bill was passed. The title was agreed to.

H. B. No. 130—Mr. Bohl—For the better regulation of insurance companies, other than life and accident, issuing fire policies.

Was taken up, the question being on agreeing to the amendments reported by the committee on Insurance.

The same were agreed to, and the bill was read the third time.

On demand of Mr. Saltzgaber, a call of the Senate was had.

Messrs. Curtiss, Jackson of Clinton, Jackson of Perry, Krimmel, Marsh, Parker and Seitz were absent.

On motion of Mr. Tyler, the Sergeant-at-Arms was dispatched for absentees.

Messrs. Curtiss, Krimmel and Marsh, having appeared within the bar of the Senate, and answered to their names—

On motion of Mr. Saltzgaber, further proceedings under the call were dispensed with.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 27, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Johnston, Joy, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Williams and Wilson—27.

So the bill was passed.

Mr. Saltzgaber moved to amend the title, by striking out the words "other than life and accident."

Which was agreed to.
The title, as amended, was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 208—Mr. White—To authorize the board of county commissioners of Franklin county to construct bridges across the Scioto river at points therein named.

H. B. No. 314—Mr. Poe—To authorize the trustees of Olmsted township, Cuyahoga county, Ohio, to join with the council of the incorporated village of Olmsted Falls, in the construction of a town hall for the joint use of said township and said village.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 293—Mr. Levering—To amend section 35 of the act of May 1, 1873, (70 v. 195,) entitled "An act for the reorganization and maintenance of common schools."

H. B. No. 271—Mr. Mackey—To create a special school district in Springfield township, Mahoning county.

H. B. No. 253—Mr. Greene—Supplementary to the acts relating to criminal procedure.

H. B. No. 301—Mr. Reed of Trumbull—To amend section 28 of an act entitled "An act relating to roads and highways," passed April 11, 1876, (O. L., vol. 73, p. 185).

H. B. No. 231—Mr. Wolf—To create a special school district, composed of territory in the township of Falls, and county of Hocking.

Attest: L. A. BRUNNER, *Clerk.*

The President *pro tem.*, in presence of the Senate, signed said bills.

Mr. Beer submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 309—To amend section 1 of the act of April 2, 1866, (63 v., 84); S. & S., 783,) entitled "An act to authorize the erection, improving, enlarging or constructing additions to town halls, and to repeal an act therein named,"—

Having had the same under consideration, report it back, and recommend its passage.

J. SHERRICK, H. C. LORD,
H. W. CURTISS, THOS. M. BEER.

Said bill was ordered to be engrossed, and read the third time on Wednesday next.

Mr. Seitz submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 39—For the relief of the sureties of Jas. A. Tipton, treasurer of Walnut township, Gallia county, Ohio—

Having had the same under consideration, report it back, and recommend its passage.

JOHN SEITZ, J. SHERRICK,
H. W. CURTISS, THOS. M. BEER.

Said bill was ordered to be engrossed, and read the third time on Wednesday next.

Mr. Curtiss submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 206—To authorize boards of education in certain cities to levy a tax for library purposes, and limiting the rate of taxes to be levied for school purposes in certain cities—

Having had the same under consideration, report it back, and recommend its passage.

H. W. CURTISS, THOS. M. BEER,
J. SHERRICK, H. C. LORD,
JOHN SEITZ.

On motion of Mr. Curtiss, said bill was ordered to be engrossed, and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 23, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carson, Curtiss, Fisher, Grove, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler and Williams—23.

Mr. Forrest voted in the negative—1.

So the bill was passed. The title was agreed to.

Mr. Curtiss submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 97—To amend an act entitled "An act supplementary to an act to provide for the better regulation of turnpike and plank road companies, and to repeal section 41 of an act to provide for the regulation of incorporated companies," passed May 1, 1852, and repealed March 30, 1864, and re-enacted April 5, 1866, passed March 11, 1867, passed April 3, 1868—

Having had the same under consideration, report it back, and recommend its passage.

J. SHERRICK, JOHN SEITZ,
H. W. CURTISS, H. C. LORD,
THOS. M. BEER.

Said bill was ordered to be engrossed, and read the third time on Wednesday next.

Mr. Richards submitted the following report:

The joint committee on Enrollment have examined and found correctly enrolled the following bills:

H. B. No. 163—To authorize the vacation of turnpikes and plank roads which are suffered to be out of repair, and to establish the same a county road.

H. B. No. 164—To amend section 9 of an act entitled "An act supplementary to an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio," passed May 1, 1852, passed April 15, 1869, (S. & S. 186); as amended February 25, 1869, (O. L., vol. 66, p. 11); as amended April 20, 1874, (O. L., vol. 71, p. 161); as amended April 11, 1876, (O. L., vol. 73, p. 188); as amended March 12, 1877, (O. L., vol. 74, p. 38).

H. B. No. 142—To authorize the board of education of special school district No. 1, of Carroll and Erie townships, in the county of Ottawa, Ohio, to issue bonds to build a school house and purchase site.

H. B. No. 167—To transfer territory from Paris special school district to Paris township school district, Stark county, Ohio.

H. B. No. 286—Supplementary to an act entitled "An act to authorize the council of the incorporated village of Lebanon, Warren county, Ohio, to contract for the building of, and to build a public hall and corporation offices connected therewith, as provided by the resolution and ordinance passed by the council of said village, and to execute, issue and sell bonds authorized to be executed, issued and sold by an ordinance of said village, passed January 18, 1875, and to authorize said village to sell bonds for the construction of a gallery to said hall, built in pursuance of the above named act, and to furnish said hall and departments therewith connected."

J. W. Washburn, A. D. Marsh,
E. S. Perkins, C. R. Harmon,
J. R. Johnston, R. G. Richards.

Mr. Armstrong submitted the following report:

The standing committee on Claims, to whom was referred H. B. No. 283—For the relief of Christian Kingseed—

Having had the same under consideration, report it back and recommend its passage.

J. M. Armstrong, J. C. McDonald,
G. A. Grove, H. Sabine,
J. B. Williams, C. S. Parker.

Said bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred S. B. No. 135—To create a board of control in cities of the first class which have been advanced to that grade between decennial periods—

Having had the same under consideration, report it back, with the following substitute, and recommend the passage of the substitute:

To create a board of control in cities of the first class which have been advanced to that grade between decennial periods.

Section 1. *Be it enacted by the General Assembly of the State of Ohio*, That in all cities of the first class that have been advanced to that grade between decennial periods, there shall be appointed by the mayor of such cities, without the advice and consent of the council, five qualified electors of such city, who shall be and constitute a board of control. The terms of office of the members of said board so appointed, shall expire, respectively, two on the third Monday of April, 1879, two on the

third Monday of April, 1880, and one on the third Monday of April, 1881, each one of whom, and also those elected, shall continue to serve until his successor is elected and qualified. Any vacancy occurring in the foregoing terms shall be filled by the mayor for the unexpired term; and after the terms of office above provided for shall terminate, the members of said board shall be elected by the qualified electors of such city at each annual municipal election held after the first Monday of April, 1878; the term of office of each member so elected shall be for the period of two years; and any vacancy in the board caused by death, removal or resignation, except as above provided, shall be filled by the mayor until the next municipal election, when a member shall be elected to fill the balance of the unexpired term.

The certificate of the mayor making the appointment shall designate the term for which each appointment is made, and shall be filed with the city clerk.

SEC. 2. Said members, within ten days from and after notice of their appointment, and the approval of their bonds as herein provided, shall organize as such board of control, by taking and subscribing an oath for the faithful performance of their duties, to be administered by the mayor of said city, or some other officer legally authorized to administer oaths, a record of which shall be filed in the city clerk's office of said city. Such board shall thereupon proceed to complete its organization by electing one of their number president, who shall serve as such for one year, and by appointing a clerk, not a member of the board.

SEC. 3. The members of the board shall devote their time and attention to the duties of their office, and shall each receive, as compensation, a salary of fifteen hundred dollars per annum.

SEC. 4. The board shall hold meetings twice a week, and special or adjourned meetings at pleasure, and three members of the board shall form a quorum for the transaction of business. The ayes and nays shall be called, and entered upon a journal upon the passage of every resolution or order of any kind. No resolution or order shall be adopted unless three votes are recorded in its favor. They shall keep a complete record of all their proceedings, and a copy from their records, certified by their clerk, shall be competent evidence in all courts; but a separate journal and record, and separate accounts shall be kept touching all matters connected with the control of the water works of such city.

SEC. 5. The members of the board shall have seats in the council, and be entitled to take part in the proceedings and deliberations on all questions relating to matters under their charge, subject to such rules as the council shall, from time to time, prescribe, but without the right to vote. One of said board may be compelled to attend every meeting of the council, in the same manner as the members. A member of the board may be removed from office for incompetency, neglect of duty, or unfaithfulness of trust, by a vote of two-thirds of all the members elected to the board of common council of such city, but in no case shall such removal be made unless a charge, in writing, is preferred, and an opportunity given to make defense.

SEC. 6. The board shall have power to appoint such engineers, clerks, superintendents, turnkeys at police headquarters, laborers, and other persons as it may deem necessary for the execution of its duties, and fix their salaries and compensation; but the salaries of such engineers, clerks and superintendents as are appointed for a definite period of time, shall not be greater than the amount now fixed by law, or ordinance, in

such cities for similar services; but when the amount shall be fixed in a sum exceeding one thousand dollars, except as above provided, the same shall be subject to the approval of the common council of such cities; but any of such engineers, clerks, superintendents, laborers, and other persons, may be removed at the pleasure of the board at any time.

SEC. 7. The board shall have all the powers which are now vested by law or ordinance in such cities, in the trustees of water works, the board of work house directors, the police board, the board of improvements, as defined by chapter XLVI of the municipal code, passed May 7, 1869, and amendments thereto now in force, notwithstanding the council of such city may not have established a board of improvements, and shall be governed by the rules now prescribed by law for the government of said boards, when not inconsistent with the provisions of this act.

SEC. 8. The board shall have the management and control of the fire department of such cities, and shall appoint such officers and employes as may be necessary, to the efficient management of the department, and shall have power to make all necessary repairs of houses, engines or other apparatus belonging to the department, and to contract, in the name of the city, for new houses or apparatus; Provided, that in all contracts exceeding five hundred dollars in amount, the approval of the common council shall first be obtained. The board shall have power to locate and build such fire-cisterns and plugs as may be deemed necessary, for the better protection of the property of the city, and shall also have the control and supervision of all streets, bridges, markets and market spaces, harbors, landing places and wharves, and public buildings owned or controlled by the city, and not under the control of some other board, that is now or may hereafter be prescribed by law or ordinance of such city, together with the power to appoint all such officers, superintendents, laborers, and other persons as are now or may be required by law or ordinance of such city, for the proper care and supervision of the same; and said board shall make an annual estimate for the necessary funds to defray the expense in carrying out the provisions of this section relating to such streets, bridges, markets and market spaces, harbors, landing places and wharves, and public buildings, which estimate shall be transmitted to the auditor of such city on or before the first Monday in May of each year, which estimate shall be by him transmitted to the council of such city, whose duty it shall be to levy and cause to be collected such tax in the same manner as other taxes are now or may hereafter be levied and collected in such city, and the money, when collected, shall be paid into the treasury of such city. All necessary expenses in any way arising out of the provisions of this section in relation to such streets, bridges, markets and market spaces, harbors, landing places and wharves, and public buildings in such city, shall be paid out of the fund that would be used in such city for the same purposes had not this act been passed, and such council is hereby required to provide such fund, and place the same subject to the order of said board.

SEC 9. Whenever the board shall deem it advisable to make any contract for the execution of any work, or the purchase of any material for matters under its charge, it shall cause a careful estimate to be made of the cost of such work or material. In all cases where estimates are to be made, or where the estimated cost exceeds five hundred dollars, it shall transmit to the council, with its recommendations, a resolution or ordinance, as the case may be, authorizing the execution of the said work, or

the purchase of said material, or both, at a cost not to exceed the amount of the estimate, which shall be transmitted. Upon the passage by the council of such resolution or ordinance, it shall be the duty of the board to advertise for proposals in accordance therewith, for a period of at least ten days, in one or more of the papers of general circulation in the city, for sealed proposals to do the work or furnish the material required, or both, and award the contract to the lowest responsible bidder: Provided, the costs under such bids do not exceed the estimate transmitted to the council.

SEC. 10. No member of the board shall be interested, directly or indirectly, in any contract or job under its control, nor shall any member thereof furnish to the board any supplies or materials, the purchase of which is by order of the board, or the bills of which would be subject to the approval of the board. That no officer under its control, such as superintendents or foremen, shall be interested, directly or indirectly, in any work, contract, or the furnishing of supplies, nor shall any member of the board, or officer under its control, be allowed to receive any fee or perquisites beyond the salary fixed by the board, and herein provided for.

SEC. 11. All contracts shall be made in triplicate, in the name of the city, and executed in behalf of the city by the presiding officer of the board, one copy of which shall be filed in their office, and one in the office of the city auditor, and the third shall be delivered to the contractor or contractors.

SEC. 12. In cases where the board shall contract, without the approval of the council, it may, at its discretion, purchase the necessary materials and employ the necessary overseers and hands to do the work. The council may also, in special cases, on the recommendation of the board, authorize any work, no part of which is to be paid by assessment, to be done in the same manner.

SEC. 13. When it may become necessary, in the opinion of the board, in the prosecution of any work, to make any alteration or modification, such alteration and modification shall only be made by order of the board, and such order shall be of no effect until the price to be paid for the same has been agreed upon in writing, and signed by the contractor and some person authorized thereto by the board: Provided, the total cost of the work, with the addition of the price so agreed upon, shall not exceed the original estimate. And no contractor shall be allowed anything for any extra work caused by any such alteration or modification, unless an order be made and agreement signed, nor shall he, in any case, be allowed more for such alteration or modification than the price fixed by such agreement.

SEC. 14. Said board shall have the powers now vested in the council, to publish all resolutions, declaring the necessity of certain improvements, now required to be published under the code, in chapter XLIX, of the municipal code, passed May 7, 1869; but the ordinance authorizing the improvement must be passed by the council on the recommendation of the board.

SEC. 15. Each member of said board, before entering upon his duties, shall give a bond in the sum of ten thousand dollars, with good and sufficient sureties; said bond to be conditioned for the faithful performance of his duties, and shall be made subject to the approval of the mayor and city solicitor.

SEC. 16. No grant for the use of any street or highway, in such city,

for the purpose of a street or other railroad, or any extension thereof, shall be made or renewed, unless first recommended by said board; nor shall any such street or highway be used for supplying gas or water, or be broken up or obstructed for any purpose or pretense whatever, unless permission shall have been given therefor by said board, and attested by its clerk in writing; nor shall any resolution or ordinance, for the payment of money in settlement of any claims for unliquidated damages, be passed, or any binding agreement for such settlement made by the council, unless the payment or settlement of such claim shall first have been recommended by said board; neither shall any property, used or to be used for purposes under the control of said board, or for purposes of the city, be purchased, leased or disposed of, without such recommendation being first made.

SEC. 17. No resolution or order in which the expenditure of money is involved, no ordinance, resolution or order for the expenditure of money, issuing any bonds, or the levying of any tax, nor any contract for the payment of money or bonds, or for granting any franchise, or creating any right, or for the purchase, lease, sale, or the transfer of any property, which shall have passed the council, (except such as levying special taxes for the improvement of streets,) shall take effect until approved by three members of said board; and for such final approval, every such ordinance, resolution, order or contract, shall be submitted to said board.

SEC. 18. Immediately after the first municipal election in such city, following the passage of this act, and as often thereafter, as required, all contracts providing for publishing and printing, and for the purchase of stationery and supplies that may be required for the various departments and officers of such city, shall be made by said board, and said board, before making the same, shall advertise in some paper of general circulation within such city, for sealed proposals, for the period of ten days, for doing such printing, and for furnishing such stationery and supplies, and shall award the contract to the lowest responsible bidder; Provided, that nothing herein contained shall be construed so as to interfere in any way with contracts made and duly authorized by any department of such city prior to the passage of this act; but no such contract shall be entered into by said board for a longer period that one year, and all ordinances, resolution or orders of the council of such city conflicting with the provisions of this section, are hereby annulled to that extent.

SEC. 19. Said board shall have power to make such rules and regulations not inconsistent with the provisions of this act, for its government as it may deem necessary to effect the purpose of its organization, and the proper discharge of its duties; and such rules and regulations, when approved by the council, shall have the force and effect of ordinances.

SEC. 20. The revenues of the water works shall hereafter be expended like other funds under the control of the city, only on the appropriation of the money by ordinance, approved by said board, and duly passed by the council.

SEC. 21. The offices of trustees of water works, the board of improvements, the board of work-house directors, police board, chief engineer of the fire department, the city civil engineer, and street commissioner, in cities to which this act is applicable, and also all offices created by any ordinance, resolution, or order of the council, in the departments, and for the care, supervision and control of all the property and interests of such city, hereby placed under the control of said board, are hereby abol-

ished. All acts conflicting herewith are hereby repealed, and this act shall take effect and be in force from and after its passage.

THEO. MARSH, G. M. SALTZGABER,
LYMAN J. JACKSON, JAMES B. STEEDMAN.

Said report and substitute were laid upon the table, and the substitute ordered to be printed.

Mr. Grove submitted the following report:

The standing committee on Benevolent Institutions, to whom was referred S. B. No. 153—To permit benevolent associations and societies to invest surplus on endowment funds, and to hold securities upon which such investments may be made—

Having had the same under consideration, report it back, with following amendments, and recommend its passage when so amended:

In section 2, line 1, strike out "such member" and insert "a board."

In line 2, after "three" insert "nor more than five."

In line 5, strike out "such trustee" and insert "one or more of such board."

In line 6, strike out "trustees" and insert "board."

In line 7, strike out "trustees" and insert "board."

In line 8, insert after "from" the words "each of."

In section 3, line 2, after "said" insert "board of."

In line 10, after "otherwise" insert "so foreclosed."

C. F. KRIMMEL, G. A. GROVE,
GEO. P. TYLER, B. W. CARLISLE,
THEO. MARSH, H. W. CURTISS.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Richards submitted the following report:

The joint committee on Enrollment have examined and found correctly enrolled the following bill:

H. B. No. 356—To provide for the issuing and payment of bonds by the commissioners of Stark county, to meet a deficiency in the levy for county funds in said county.

J. W. WASHBURN, A. D. MARSH,
F. M. CARTER, C. R. HARMON,
WM. JESSUP, E. S. PERKINS,
R. G. RICHARDS, J. R. JOHNSTON.

Mr. Benson submitted the following report:

The standing committee on Drains and Drainage, to whom was referred S. B. No. 143—Relating to ditches—

Having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

Section 14, line 8, strike out the word "completed" and insert the word "determined."

JOHN H. BENSON, W. H. STOKES,
J. C. MCDONALD, THOS. S. JACKSON.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time on Thursday next.

Mr. Sherrick submitted the following report:

The standing committee on Finance, to whom was referred S. B. No. 136—For the relief of Richard Cochrane—

Having had the same under consideration, report it back without recommendation.

J. SHERRICK, H. C. LORD,
H. W. CURTISS, JOHN SEITZ,
THOS. M. BEER.

Said bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Sherrick submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 169—For the relief of the sureties of Charles E. Spence, treasurer of Hamilton township, Warren county, Ohio—

Having had the same under consideration, report it back, and recommend its passage.

J. SHERRICK, H. C. LORD,
H. W. CURTISS, JOHN SEITZ,
THOS. M. BEER.

Said bill was ordered to be engrossed and read the third time on Wednesday next.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

H. B. No. 356—Mr. Worley—To provide for the issuing and payment of bonds, by the commissioners of Stark county, to meet a deficiency in the levy for county fund in said county.

Attest: L. A. BRUNNER, *Clerk.*

The President, pro tem., in presence of the Senate, signed said bill.

Mr. Tyler moved that S. J. R. No. 41 be taken from the table.

Which was agreed to.

Mr. Johnston moved that said joint resolution be referred to the committee on Finance.

Which was agreed to.

Mr. Carlisle submitted the following report:

The standing committee on Roads and Highways, to whom was referred S. B. No. 157—To provide for the improving and draining of roads in Montgomery township, Marion county, Ohio—

Having had the same under consideration, report it back, with following amendments, and recommend its passage when so amended:

Strike out in section 2, line 3, the word "poll tax" and insert "under the law."

Also in section 3, line 8, the word "sixteen" and insert "eighteen."

Also in section 4, line 7, the word "ten" and insert "two."

B. W. CARLISLE, JOHN H. BENSON,
THOS. S. JACKSON, LINDSEY KELLEY,
J. C. MCDONALD.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Forrest moved that the constitutional rule requiring bills to be read "on three different days" be suspended that H. B. No. 411 may be read the second and third times.

On which motion the yeas and nays were taken, and resulted—yeas 27, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Johnston, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Williams and Wilson—27.

So the motion was agreed to, and said bill was read the second and third times.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Jackson of Perry, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Steedman, Stokes, Tyler, Williams and Wilson—23.

So the bill passed. The title was agreed to.

On motion of Mr. Curtiss, the Senate took a recess.

THREE O'CLOCK, P. M.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 245—Mr. Sextro—To authorize the county commissioners of Hamilton county to levy a tax and issue bonds for opening and grading an avenue known as Glenway West.

H. B. No. 378—Mr. Bull—For the relief of John Martin.

H. B. No. 383—Mr. Reed of Trumbull—For the relief of Milo McCombs.

H. B. No. 434—Mr. Hitchcock—To authorize the board of education of Chardon school district No. 1, in the county of Geauga, to issue bonds, to cancel certain outstanding bonds, refund a school house debt, and provide for payment of the same.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Richards submitted the following report:

The joint committee on Enrollment have examined and found correctly enrolled the following bills:

H. B. No. 129—Supplementary to an act entitled "An act providing for converting toll roads," passed May 3, 1875, (O. L., v. 70, p. 256.)

H. B. No. 311—To authorize the trustees of Olmstead township, in the county of Cuyahoga, to issue bonds to the amount of $6,000, for the purpose of buying land, and to erect and repair suitable buildings thereon for infirmary purposes.

H. B. No. 240—To amend an act entitled "An act supplementary to an act entitled 'An act to provide for the organization and government of municipal corporations, passed May 7, 1869,'" passed April 28, 1873, (O. L., v. 70, p. 179.)

H. B. No. 159—To authorize the creation of a special school district in Harrison township, Van Wert county, Ohio.

A. D. MARSH, F. M. CARTER,
R. G. RICHARDS, E. S. PERKINS,
WM. JESSUP, J. W. WASHBURN,
C. R. HARMON, J. R. JOHNSTON.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 366—Mr. Bohl—To divide Little Muskingum precinct, in Marietta township, Washington county, into two election precincts.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 286—Mr. Wales—To authorize the incorporated village of Lebanon, Warren county, Ohio, to issue and sell certain bonds for the purpose of constructing a gallery in the public hall of said village, and to furnish said hall and the departments connected therewith.

H. B. No. 163—Mr. Stubbs—To authorize the vacation of abandoned turnpikes and plank roads, and their establishment as county roads.

H. B. No. 164—Mr. Dow—To amend section 9 of an act entitled "An act supplementary to an act entitled 'An act to provide for the creation and regulation of incorporated companies in the State of Ohio,'" passed May 1, 1852; passed April 15, 1867, (S. & S., 186); as amended Feb. 25, 1869, (O. L., v. 66, p. 11); as amended April 20, 1874, (O. L., v. 71, p. 161); as amended April 11, 1876, (O. L., v. 73, p. 188), as amended March 12, 1877, (O. L., v. 74, p. 38.)

H. B. No. 167—Mr. Worley—To transfer territory from Paris special school district to Paris township school district, Stark county, Ohio.

H. B. No. 142—Mr. Ellis—To authorize the board of education of special school district No. 1 of Carroll and Erie townships, in the county of Ottawa, Ohio, to issue bonds to build a school House, and purchase of site.

Attest: L. A. BRUNNER, *Clerk.*

The President, pro tem., in presence of the Senate, signed said bills.

Mr. Curtiss moved that the vote whereby H. B. No. 206 was passed, be reconsidered.

Which was agreed to.

On motion of Mr. Curtiss, a message was directed to be sent to the House of Representatives requesting the return of said (H. B. No. 206) bill.

Mr. Lord presented the petition of T. M. Barnet and — other citizens of Cincinnati, Hamilton county, on the question of authorizing the said

city to issue an additional credit for the construction of the Cincinnati Southern Railroad.

Which was referred to the committee on Railroads, Telegraphs and Turnpikes.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to—

H. B. No. 356—Mr. Worley—To provide for the issuing and payment of bonds by the commissioners of Stark county to meet a deficiency in the levy for county fund in said county.

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Forrest, the Senate went into committee of the whole for the consideration of S. B. No. 115, and after some time spent therein, arose, reported progress and asked leave to sit again.

Which was granted.

Mr. Johnston submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled the following bill:

H. B. No. 411—To prescribe the duties of marshal in certain incorporated villages.

WM. JESSUP, A. D. MARSH,
J. W. WASHBURN, C. R. HARMON,
J. R. JOHNSTON, R. G. RICHARDS,
C. F. KRIMMEL.

Mr. Wilson moved that the Senate adjourn until 8 o'clock to-morrow morning.

Which was agreed to, and the Senate adjourned.

Attest: D. S. FISHER, *Clerk, pro tem.*

FRIDAY, MARCH 29, 1878—8 o'clock A. M.

The Senate met pursuant to adjournment.

The Journal was read and approved.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 360—Mr. Dempcy—Supplemental to an act entitled "an act to authorize the trustees of Brecksville township, Cuyahoga county, to levy a tax for certain purposes mentioned therein," passed May 5, 1877.

H. B. No. 363—Mr. Morrey—To authorize the trustees of Windsor township, Morgan county, to levy a tax to pay indebtedness.

H. B. No. 292—Mr. Hayman—To authorize the commissioners of

Scioto county, Ohio, to complete the turnpike road leading from Portsmouth to the Catholic cemetery in said county, and to issue bonds therefor.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 435—Mr. Cowgill—To authorize the board of education of Goshen township, Champaign county, to issue bonds to build a school house.

H. B. No. 377—Mr. Monahan—To enable certain trustees of the First Regular Baptist church of Jackson, Jackson county, Ohio, to convey certain real estate.

H. B. No. 338—Mr. Foster—To authorize the Berea agricultural society to open streets through, to allot and sell or exchange certain lands.

H. B. No. 297—Mr. Crosson—To authorize the surviving trustees of the Christian church of Neville, Clermont county, to sell real estate belonging to said church organization.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 240—Mr. Clough—To amend an act entitled "An act supplementary to an act entitled an act to provide for the organization and government of municipal corporations," passed May 7, 1869, passed April 28, 1873, (O. L., v. 70, page 179).

H. B. No. 129—Mr. Reed of Ross—Supplementary to an act entitled "an act providing for converting toll roads," passed May 3, 1875, (O. L., vol. 70, page 256.)

H. B. No. 311—Mr. Palmer—To authorize the trustees of Olmstead township, in the county of Cuyahoga, to issue bonds to the amount of $6,000 for the purpose of buying land, and to erect and repair suitable buildings thereon for infirmary purposes.

H. B. No. 159—Mr. Rimer—To authorize the creation of a special school district in Harrison township, Van Wert county, Ohio.

Attest: L. A. BRUNNER, *Clerk.*

The President *pro tem.*, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

H. B. No. 411—Mr. Jessup—To prescribe the duties of Marshal in certain incorporated villages.

Attest: L. A. BRUNNER, *Clerk.*

The President *pro tem.*, in presence of the Senate, signed said bill.

Mr. Johnston moved that the Senate adjourn.

Which was agreed to.

The President announced that the Senate, in pursuance of S. R. No. 21, would stand adjourned until Tuesday next, at 3 o'clock p. m.

Attest: ALLEN O. MYERS, *Clerk.*

TUESDAY, APRIL 2, 1878—3 o'clock P. M.

The Senate met pursuant to adjournment.

The Journal was read and approved.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bills:

S. B. No. 57—Mr. Saltzgaber—To change the time for holding the second term of the court of common pleas, in the counties of Mercer and Van Wert, for the year 1878.

S. B. No. 112—Mr. Johnston—To authorize the commissioners of Mahoning county to transfer funds therein named.

Attest: L. A. BRUNNER, *Clerk.*

Bills were read the second time and referred as follows:

H. B. No. 155—Mr. Clough—To authorize the council of the village of Middletown, Butler county, Ohio, to make a contract with the Middletown gas company for lighting streets, alleys and public buildings, for a period not to exceed ten years, and to levy taxes to pay the cost as it becomes due by the terms of said contract.

To committee on Municipal Corporations.

H. B. No. 208—Mr. White—To authorize the board of county commissioners of Franklin county to construct bridges across the Scioto river at points therein named.

To committee on Roads and Highways.

H. B. No. 314—Mr. Poe—To authorize the trustees of Olmstead township, Cuyahoga county, Ohio, to join with the council of the incorporated village of Olmstead Falls, in the construction of a town hall for the joint use of said township and said village.

To committee on Finance.

H. B. No. 245—Mr. Sextro—To authorize the county commissioners

of Hamilton county to levey a tax and issue bonds for opening and grading an avenue known as Glenway avenue.

To committee on Municipal Corporations.

H. B. No. 378—Mr. Bull—For the relief of John Martin.

To committee on Finance.

H. B. No. 383—Mr. Reed of Trumbull—For the relief of Milo McCombs.

To committee on Finance.

H. B. No. 434—Mr. Hitchcock—To authorize the board of education of Chardon school district No. 1, in the county of Geauga, to issue bonds, to cancel certain outstanding bonds, refund a school house debt, and provide for the payment of the same.

To committee on Common Schools and School Lands.

H. B. No. 366—Mr. Bohl—To divide Little Muskingum precinct, in Marietta township, Washington county, into two election precincts.

To committee on Judiciary.

H. B. No. 435—Mr. Cowgill—To authorize the board of education of Goshen township, Champaign county, to issue bonds to build a school house.

To committee on Common Schools and School Lands.

H. B. No. 377—Mr. Monahan—To enable certain trustees of the first regular Baptist church of Jackson, Jackson county, Ohio, to convey certain real estate.

To committee on Judiciary.

H. B. No. 338—Mr. Foster—To authorize the Berea agricultural society to open streets through, to allot and sell or exchange certain lands.

To committee on Agriculture.

H. B. No. 297—Mr. Crosson—To authorize the surviving trustees of the Christian church of Neville, Clermont county, to sell real estate belonging to said church organization.

To committee on Universities, Colleges and Academies.

H. B. No. 360—Mr. Dempcy—Supplementary to an act entitled "An act to authorize the trustees of Brecksville township, Cuyahoga county, to levy a tax for certain purposes mentioned therein," passed May 5, 1877.

Mr. Curtiss moved that said bill be laid upon the table.

Which was agreed to.

H. B. No. 363—Mr. Morrey—To authorize the trustees of Windsor township, Morgan county, to levy a tax to pay indebtedness.

To committee on Currency.

H. B. No. 292—Mr. Hayman—To authorize the commissioners of Scioto county, Ohio, to complete the turnpike road leading from Portsmouth to the Catholic cemetery, in said county, and to issue bonds therefor.

To committee on Judiciary.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 51—Mr. Sherrick—To authorize the council of the city of

Canton, Ohio, to appoint a board of trustees to take charge of property bequeathed to the poor of said city, and hold the same in trust for them.

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Krimmel, the Senate adjourned.

Attest: D. S. FISHER, *Clerk, pro tem.*

WEDNESDAY, APRIL 3, 1878—10 O'CLOCK A. M.

The Senate met pursuant to adjournment.
Prayer by Rev. Dr. Moore.
The Journal was read and approved.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill in which the concurrence of the Senate is requested:

H. B. No. 347—Mr. Clough—To provide for a supply of water for fire and other purposes, in certain cities of the second class.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives accedes to the request of the Senate, and herewith returns—

H. B. No. 206—Mr. Foster—To authorize boards of education in certain cities to appoint library committees, and levy taxes for school purposes.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of—

S. B. No. 41—Mr. Fisher—

With the following amendments, in which the concurrence of the Senate is requested:

In line 8, after the word "infirmary," insert "at public sale, after advertising for four consecutive weeks in some paper having general circulation in the county."

At the end of line 10, add "Provided, that the commissioners are not authorized to expend more than they are now allowed by law, in addition to the proceeds of the sale."

Also by adding after the word "sale," where it last occurs, "and provided, that before any election shall be taken for such sale, the question of such sale and removal shall first be submitted to the qualified voters of said Coshocton county, at the next general election to be held therein,

and provided further, that a majority of the voters voting at said election shall vote in favor thereof.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Fisher moved that said bill and amendments be laid on the table. Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 449—Mr. Levering—To authorize the creation of a special school district in Canaan township, Morrow county.

H. B. No. 450—Mr. Greene—For the improvement of common roads.

H. B. No. 451—Mr. Dodds—In regard to city treasurers and city auditors in cities of the first-class.

H. B. No. 452—Mr. Klimper—To amend section 19, of chapter 3, of an act entitled "An act to amend, revise and consolidate the statutes relating to criminal procedure," passed May 5, 1877, (O. L., vol. 74, p. 310.)

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 355—Mr. Clough—To authorize the auditor of Butler county to pay a claim named therein.

H. B. No. 358—Mr. Hardy of Defiance—To authorize the commissioners of Defiance county, Ohio, to complete a bridge therein named.

H. B. No. 364—Mr. Greene—Supplementary to the act entitled "An act relating to the payment of certain bonds of the city of Xenia," passed February 22, 1877, (O. L., vol. 74, p. 396.)

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill in which the concurrence of the Senate is requested:

H. B. No. 402—Mr. Achauer—To authorize the trustees of the Presbyterian church of New Concord, Muskingum county, Ohio, to convey to the Pleasant Hill Cemetery Association, of Union township, of said county, certain cemetery grounds owned by said church association.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

H. B. No. 39—Mr. Wasson—For the relief of the sureties of James A. Tipton, treasurer of Walnut township, Gallia county, Ohio.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 21, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Curtiss, Dungan, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Richards, Sabine, Sherrick, Steedman, Tyler, Wagener and Williams—21.

Messrs. Forrest and Owens voted in the negative—2.

So the bill was passed. The title was agreed to.

H. B. No. 97—Mr. Foster—To amend an act entitled "An act supplementary to an act to provide for the better regulation of turnpike and plank road companies, and to repeal section 41 of an act to provide for the regulation of incorporated companies," passed May 1, 1852, and repealed March 30, 1864, and re-enacted April 5, 1866, passed March 11, 1867, passed April 3, 1868.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Kelley, Krimmel, Marsh, Owens, Richards, Sabine, Sherrick, Steedman Tyler, Wagener and Williams—23.

So the bill was passed. The title was agreed to.

H. B. No. 283—Mr. Hume—For the relief of Christian Kingseed.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 24, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Marsh, Owens, Richards, Sabine, Sherrick, Steedman, Tyler, Wagener and Williams—24.

So the bill passed. The title was agreed to.

S. B. No. 153—Mr. Forrest—To permit benevolent associations and societies to invest surplus or endowment funds, and to hold securities upon which such investments may be made.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 25, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Krimmel, Marsh, Owens, Richards, Sabine, Sherrick, Stokes, Tyler, Wagener and Williams—25.

So the bill was passed. The title was agreed to.

S. B. No. 136—Mr. Richards—For the relief of Richard Cochrane.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 26, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry,

Joy, Kelley, Krimmel, Marsh, Owens, Richards, Sabine, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—26.

Mr. Benson voted in the negative—1.

So the bill was passed. The title was agreed to.

H. B. No. 169—Mr. Wales—For the relief of the sureties of Charles E. Spence, treasurer of Hamilton township, Warren county, Ohio.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 25, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Marsh, Richards, Sabine, Sherrick, Steedman, Stokes, Tyler and Williams—25.

Mr. Owens voted in the negative—1.

So the bill was passed. The title was agreed to.

S. B. No. 157—Mr. Sabine—To provide for the improving and draining of roads, in Montgomery township, Marion county, Ohio.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 23, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Joy, Kelley, Krimmel, Marsh, Owens, Richards, Sabine, Sherrick, Stokes, Tyler, Williams and Wilson—23.

Mr. Howland voted in the negative—1.

So the bill was passed. The title was agreed to.

Mr. Marsh asked and obtained leave of absence for Mr. Lord until Thursday next.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has indefinitely postponed—

S. B. No. 45—Mr. Steedman—Providing for the redemption of real property, or any interest therein, sold on execution or order of sale, and providing for the issuing of certificates of purchase in such cases, and for the execution of conveyances, and repealing all laws in conflict therewith.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Dungan submitted the following report:

The standing committee on Universities and Colleges, to whom was referred S. B. No. 156—Directing how cities of the first class, having accepted property or funds upon condition of establishing and maintaining an astronomical observatory, shall provide for the support of the same—

Having had the same under consideration, report it back, and recommend its passage:

IRVINE DUNGAN, W. T. FORREST,
B. W. CARLISLE, H. W. CURTISS.

Said bill was ordered to be engrossed, and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 25, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Krimmel, Marsh, Owens, Richards, Sabine, Sherrick, Steedman, Stokes, Tyler, Williams and Wilson—25.

So the bill was passed. The title was agreed to.

Mr. Curtiss submitted the following report:

The select committee of one, to whom was referred H. B. No. 6—Limiting the compensation of certain officers therein named—

Report the same back, and recommend the passage of the accompanying substitute for said bill.

On motion of Mr. Curtiss, said report and substitute were laid on the table, and the substitute ordered to be printed.

On motion of Mr. Forrest, the Senate went into committee of the Whole, for the consideration of S. B. No. 115.

After some time spent therein, arose, reported progress, and asked leave to sit again.

Which was granted.

Mr. Sherrick moved that S. R. No. 41 be taken from the table.

Which was disagreed to.

On motion of Mr. Richards, the Senate took a recess.

THREE O'CLOCK P. M.

Mr. Fisher asked and obtained leave of absence for Mr. Seitz for the balance of this week, on account of the death of his daughter.

Mr. Beer moved that S. B. No. 147 be taken from the table.

Which was agreed to.

H. B. No. 309—Mr. Herrick—To amend section 1 of the act of April 2, 1866, (63 vol., 84; S. & S., 783), entitled "An act to authorize the erection, improving, enlarging or constructing additions to town halls, and to repeal an act therein named."

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Perry, Johnston, Krimmel, Lord, Marsh, Owens, Richards, Sabine, Steedman, Wagener and Wilson—23.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to—

H. B. No. 287—Mr. Carter—Authorizing the council of the incorpora-

ted village of Edgerton, in Williams county, State of Ohio, to transfer certain funds.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to the following bills:

H. B. No. 99—Mr. Wasson—To prevent fraud in the sale of fertilizers.

H. B. No. 282—Mr. Stubbs—To compel owners of hedge fences on partition lines and along public highways to keep the same within certain limits.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to—

H. B. No. 317—Mr. Maury—To relieve the incorporated village of McConnelsville.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 51—Mr. Sherrick—To authorize the council of the city of Canton, Ohio, to appoint a board of trustees to take charge of property bequeathed to the poor of said city, and hold the same in trust for them—

With the following amendment, in which the concurrence of the Senate is requested:

Section 6, line 1, after the word "shall," insert "annually."

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Curtiss, said bill and amendment was laid on the table.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 453—Mr. Bloom—Creating a new sub-school district in Sandusky township, Richland county, Ohio.

H. B. No. 454—Mr. Bloom—To provide for obtaining a site and the erection of an intermediate prison thereon.

H. B. No. 455—Mr. Clough—To require notice to owners of real property before the amount of the tax valuation thereof is increased by any board of equalization.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Beebe submitted the following report:

The standing committee on Benevolent Institutions, to whom was referred H. J. R. No. 23—In relation to the contract for the keeping of insane in Lucas county insane asylum—

Having had the same under consideration, report it back, with the following amendment, and recommend its adoption, when so amended:

In line 12, after the word "the," insert "curable."

D. D. BEEBE, G. A. GROVE,
THEO. MARSH, H. W. CURTISS,
GEO. P. TYLER, C. F. KRIMMEL.

Said amendment was agreed to, and the resolution was ordered to be placed on the calendar for adoption to-morrow.

Mr. Sherrick, on leave, introduced the following bill, which was read the first time:

S. B. No. 166—To repeal section 7, chapter 5, of an act entitled "An act to amend, revise and consolidate the statutes relating to criminal procedure," passed May 5, 1877, (O. L., vol. 74, p. 340).

Mr. Johnston submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 137—To amend section 441 of the code of civil procedure, (S. & C., 1079)—

Having had the same under consideration, report it back, and recommend its indefinite postponement, for the reason that the same has been incorporated in the code of civil procedure, as reported by the Codifying Commission.

W. T. FORREST, W. P. HOWLAND,
J. R. JOHNSTON, IRVINE DUNGAN.

Said report was agreed to, and the bill was indefinitely postponed.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 456—Mr. Klimper—To amend section 16 of chapter 3, and section 6 of chapter 8, of an act entitled an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title 1, crimes and offenses, part 4, of the act to revise and consolidate the general statutes of Ohio, passed May 5, 1877, (O. L., vol. 74, page 240).

H. B. No. 457—Mr. Clough—To authorize private cemetery associations, brought within the corporate limits of incorporated villages, to become incorporated.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Grove submitted the following report:

The standing committee on Benevolent Institutions, to whom was referred H. B. No. 96—To reorganize the institution for the education of the deaf and dumb—

Having had the same under consideration, report it back with the following amendment, and recommend its passage when so amended:

In section 1, line 4, strike out "three" and insert "five."

In same line, after the word "members," add "two of whom shall be from the county in which said institution is located."

In line 8, same section, strike out "immediately," and substitute "within a reasonable time."

In line 11, same section, after "years," insert "one to serve for four years, and one to serve for five years."

In line 10, section 1, strike out "and."

In line 12, section 1, strike out "three" and insert "five."

In line 19, section 1, after "law," insert "the trustees."

Section 2. In line 33, strike out "one thousand" and insert "eleven hundred."

C. F. Krimmel, Theo. Marsh,
G. A. Grove, B. W. Carlisle.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time now, and was then read.

Mr. Fisher asked and obtained leave of absence for Mr. McDonald, for the remainder of this week.

Leave of absence was asked for and obtained for Messrs. Parker and Saltzgaber until to-morrow.

On demand of Mr. Krimmel, a call of the Senate was had.

Messrs. Carlisle, Jackson of Perry, Kelley and Lord were absent.

Mr. Richards moved that further proceedings under the call be dispensed with.

Which was disagreed to.

Messrs. Lord, Jackson of Perry and Carlisle having appeared within the bar of the Senate and answered to their names—

Mr. Krimmel moved that the sergeant-at-arms be dispatched for the absentees.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 22, nays 8, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Joy, Krimmel, Lord, Marsh, Owens, Richards, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—22.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Clinton, Johnston, Sabine and Wilson—8.

So the motion was agreed to.

Mr. Johnston asked and obtained leave of absence for Mr. Kelley, for to-day.

Mr. Krimmel moved that further proceedings under the call be dispensed with.

Which was agreed to.

Mr. Howland moved to refer the bill to a select committee of one, with instructions to amend as follows:

In section 4, line 6, after the word "value," insert the following:

"And it shall be his duty to make out an itemized account monthly, showing all articles purchased, and the amount paid for each, and make oath to the correctness of the same."

Which was disagreed to.

Mr. Richards moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out, after the word "remain," in line 5 of section 6, the following: "Over 21 years of age;" and insert the following: "After arriving at the age of 21 years."

Which was agreed to, and Mr. Richards was appointed such committee.

Mr. Richards, on leave, submitted the following report:

The select committee of one, to whom was referred H. B. No. 96, with instructions to amend, reports the same back amended as instructed.

R. G. RICHARDS.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 21, nays 9, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Joy, Krimmel, Lord, Marsh, Owens, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—21.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Clinton, Johnston, Richards, Sabine, and Wilson—9.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 458—Mr. Hayman—To authorize the commissioners of Scioto county to purchase a toll road, and levy a tax to pay for the same.

H. B. No. 459—Mr. Bloom—Requiring notice to be given before the passage of local laws.

H. B. No. 460—Mr. Monahan—To regulate the price of legal advertising, and to prescribe the duties of certain county officers therein named.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Sherrick, on leave, introduced the following bill, which was read the first time:

S. B. No. 167—To provide for the creation and regulation of telephone companies.

On motion of Mr. Forrest, the Senate went into committee of the whole for the consideration of S. B. No. 115, and, after some time spent therein, arose, reported progress and asked leave to sit again.

Which was granted.

On motion of Mr. Marsh, the Senate adjourned.

Attest: D. S. FISHER, *Clerk pro tem.*

THURSDAY, APRIL 4, 1878—10 O'CLOCK A. M.

The Senate met pursuant to adjournment.
Prayer by Rev. Dr. Moore.
The Journal was read and approved.
The following message was received from the Governor:

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 4th day of April, 1878.

To the Senate:

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint Job E. Owens, of Butler county, to be trustee of the Dayton asylum for the insane, for the term of two years, vice. J. B. Owsley declined.

Very respectfully,

RICHARD M. BISHOP, *Governor.*

On motion, said message was referred to the committee on Benevolent Institutions.

Mr. Krimmel submitted the following report:

The standing committee on Benevolent Institutions, to whom was referred the Governor's appointments for directors of Columbus asylum for the insane—

Having had the same under consideration, report them back, and recommend the confirmation of the parties appointed.

C. F. KRIMMEL, H. W. CURTISS,
THEO. MARSH, B. W. CARLISLE,
G. A. GROVE, D. D. BEEBE.

The question being on advising and consenting to said appointments.

The Senate proceeded to advise and consent to the appointment of David W. Brooks.

On which motion the yeas and nays were taken, and resulted—yeas 31, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams, and Wilson—31.

So the Senate advised and consented to said appointment.

The Senate proceeded to advise and consent to the appointment of Joseph P. Smith.

On which motion the yeas and nays were taken and resulted—yeas 30, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Grove, Howland, Jackson of Clinton, Jackson of Perry, Joy, Kelley,

Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—30.

So the Senate advised and consented to said appointment.

The Senate proceeded to advise and consent to the appointment of E. J. Blount.

On which motion the yeas and nays were taken, and resulted—yeas 30, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Grove, Howland, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson —30.

So the Senate advised and consented to said appointment.

The Senate proceeded to advise and consent to the appointment of Benj. Myers.

On which motion, the yeas and nays were taken, and resulted—yeas 30, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—30.

So the Senate advised and consented to said appointment.

The Senate proceeded to advise and consent to the appointment of George W. Morgan.

On which motion, the yeas and nays were taken and resulted—yeas 32. nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—32.

So the Senate advised and consented to said appointment.

Mr. Curtiss submitted the following report:

The standing committee on Benevolent Institutions, to whom was referred the Governor's appointments for directors of Dayton asylum for insane--

Having had the same under consideration, report it back, and recommend the confirmation of the persons so appointed.

C. F. Krimmel, H. W. Curtiss,
G. A. Grove, B. W. Carlisle,
Theo. Marsh, D. D. Beebe.

The question being on advising and consenting to said appointments.

The Senate proceeded to advise and consent to the appointment of Thos. B. Styles.

On which motion the yeas and nays were taken, and resulted—yeas 31, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dun-

gan, Fisher, Grove, Howland, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—31.

So the Senate advised and consented to said appointment.

The Senate proceeded to advise and consent to the appointment of Job B. Owens.

On which the yeas and nays were taken, and resulted—yeas 30, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest. Grove, Howland, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—30.

So the Senate advised and consented to said appointment.

The Senate proceeded to advise and consent to the appointment of Chas. M. Godfrey.

On which motion the yeas and nays were taken and resulted—yeas 29, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—29.

So the Senate advised and consented to said appointment.

The Senate proceeded to advise and consent to the appointment of Durban Ward.

On which motion, the yeas and nays were taken, and resulted—yeas 32, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Steedman, Stokes, Stokes, Tyler, Wagener, Williams and Wilson—32.

So the Senate advised and consented to said appointment.

The Senate proceeded to advise and consent to the appointment of Henry Schoenefelt.

On which motion the yeas and nays were taken and resulted—yeas 32, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—32.

So the Senate advised and consented to said appointment.

Mr. Grove submitted the following report:

The standing committee on Reform Schools, to whom was referred the Governor's appointments for commissioners of the reform school for boys—

Having had the same under consideration, report them back, and recommend the confirmation of the appointments.

G. A. GROVE, B. W. CARLISLE,
R. G. RICHARDS, LYMAN J. JACKSON,
THOS. M. BEER, IRVINE DUNGAN.

The question being on advising and consenting to said appointments.

The Senate proceeded to advise and consent to the appointment of John M. Pugh.

On which motion, the yeas and nays were taken and resulted—yeas 30, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—30.

So the Senate advised and consented to said appointment.

The Senate proceeded to advise and consent to the appointment of Charles Mains.

On which motion, the yeas and nays were taken, and resulted—yeas 29, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Jackson of Clinton, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—29.

So the Senate advised and consented to said appointment.

The Senate proceeded to advise and consent to the appointment of B. W. Chidlaw.

On which the yeas and nays were taken, and resulted—yeas 30, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—30.

So the Senate advised and consented to said appointment.

The Senate proceeded to advise and consent to the appointment of of Jacob Cherryholmes.

On which the yeas and nays were taken, and resulted—yeas 31, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—31.

So the Senate advised and consented to said appointment.

The Senate proceeded to advise and consent to the appointment of Henry Rheimund.

On which the yeas and nays were taken, and resulted—yeas 31, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—31.

So the Senate advised and consented to said appointment.

Mr. Marsh submitted the following report:

The standing committee on Benevolent Institutions, to whom was referred the Governor's appointments for directors of the Athens Asylum for the Insane—

Having had the same under consideration, report them back, and recommend the confirmation of the persons appointed.

C. F. Krimmel, Theo. Marsh,
G. A. Grove, H. W. Curtiss,
B. W. Carlisle, D. D. Beebe,
Geo. P. Tyler.

The question being on advising and consenting to said appointments—

The Senate proceeded to advise and consent to the appointment of John Schreiner.

On which the yeas and nays were taken, and resulted—yeas 28, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Lord, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams, and Wilson—28.

So the Senate advised and consented to said appointment.

The Senate proceeded to advise and consent to the appointment of S. M. McMillen.

On which the yeas and nays were taken and resulted—yeas 28, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, and Wagener—28.

So the Senate advised and consented to said appointment.

The Senate proceeded to advise and consent to the appointment of William Waddle.

On which the yeas and nays were taken, and resulted—yeas 29, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Lord, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—29.

So the Senate advised and consented to said appointment.

The Senate proceeded to advise and consent to the appointment of A. M. Stimson.

On which the yeas and nays were taken, and resulted—yeas 29, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Lord, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—29.

So the Senate advised and consented to said appointment.

The Senate proceeded to advise and consent to the appointment of Isaac Stanley.

On which the yeas and nays were taken, and resulted—yeas 28, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Lord, Marsh McDonald, Owens, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—28.

So the Senate advised and consented to said appointment.

Mr. Curtiss submitted the following report:

The standing committee on Benevolent Institutions, to whom was referred the Governor's appointments for trustees of the Cleveland Asylum for the Insane—

Having had the same under consideration, report them back, and recommend the confirmation of the persons appointed.

C. F. Krimmel, G. A. Grove,
Theo. Marsh, H. W. Curtiss,
B. W. Carlisle, D. D. Beebe.

The question being on advising and consenting to said appointments—

The Senate proceeded to advise and consent to the appointment of Jabez W. Fitch.

On which the yeas and nays were taken, and resulted—yeas 28, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—28.

So the Senate advised and consented to said appointment.

The Senate proceeded to advise and consent to the appointment of John F. Perry.

On which the yeas and nays were taken, and resulted—yeas 29, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams–29.

So the Senate advised and consented to said appointment.

The Senate proceeded to advise and consent to the appointment of James Barnett.

On which the yeas and nays were taken and resulted—yeas 31, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Dungan,

Fisher, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—31.

So the Senate advised and consented to said appointment.

The Senate proceeded to advise and consent to the appointment of A. McGregor.

On which the yeas and nays were taken, and resulted—yeas 28, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—28.

So the senate advised and consented to said appointment.

The Senate proceeded to advise and consent to the appointment of D. L. Wadsworth.

On which the yeas and nays were taken, and resulted—yeas 29, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Carson, Curtiss, Fisher, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—29.

So the Senate advised and consented to said appointment.

Mr. Curtiss, on leave, offered the following joint resolution:

S. J. R. No. 42—*Be it resolved by the General Assembly of the State of Ohio*, That the Secretary of State is hereby directed to purchase for the use of the State, three hundred copies each, of volumes one and two of the new and revised editions of Walker and Bates' Ohio Digest, and of McVey's Ohio Digest, at five dollars per volume; Provided, that said digest shall be printed in good style on good book paper, and be bound in a substantial manner in good leather binding.

Resolved, That upon the delivery of said copies to the Secretary of State, and upon his certifying that said volumes are as provided above, the same shall be received by said secretary, and shall be paid for out of the treasury, upon the warrant of the Auditor of State, who shall issue said warrant upon the presentation of said certificate given by said Secretary of State for said volumes.

Resolved, That the Secretary of State shall cause to be distributed in the same manner as the general laws are now distributed, copies of said volumes, as follows:

To the office of Governor, Attorney-General, Secretary of State, Treasurer of State, Auditor of State, office of Insurance Commissioner, office of Railroad Commissioner, Clerk of the Supreme Court, to each Judge of the Supreme Court, and to the Supreme Court Commission, to each court room of each Court of Common Pleas, and of each Probate Court of each county, each one set of either one or the other of said digests, said digests to be the property of the State, and to remain in the said respective offices and court rooms. There shall be placed in the State library fifty sets of each of the said digests, which may be, by the approval of the Governor, exchanged by the Secretary of State for the digests of other States

or countries, the digests so received in exchange to be placed in said library. The secretary of State shall deliver to the Sergeant-at-Arms of the Senate, and to the Sergeant-at-Arms of the House of Representatives, one set of one or the other of said digests, for the use of each presiding officer and each member of said Senate and House of Representatives respectively, during the session of the same, and it shall be the duty of said Sergeants-at-Arms to deliver said copies to the Secretary of State at the close of each session.

Referred to the committee on the Judiciary.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred S. B. No. 162—Supplementary to an act entitled "An act to authorize the commissioners of Hamilton county to levy a tax for further improving the course of Mill Creek," passed May 1, 1873, (70, Ohio Laws 377)—

Having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH, LYMAN J. JACKSON,
G. M. SALTZGABER, R. G. RICHARDS,
G. A. GROVE.

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Beebe presented the remonstrance of A. M. Cole and 35 other citizens of Peninsula, Summit county, against H. B. No. 17—"To provide for the purchase of books for the use of common schools."

Which was referred to committee on Common Schools and School Lands.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to—

H. B. No. 44—Mr. Sextro—To provide for the reorganization, government and better management of Longview Asylum, and to repeal certain acts therein named.

Attest: L. A. BRUNNER, *Clerk*.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 90—Mr. Steedman—To authorize the sale of railroads in certain cases, with the following amendment, in which the concurrence of the Senate is requested:

HOUSE AMENDMENTS.

In section one, line twenty-five, strike out all after the word "railroad," to the end of section, as follows:

Provided that such sale shall be upon the express condition that the purchaser or purchasers, his or their successors or assigns, shall permit all railroad or railway companies to use and occupy such railroad and property so purchased, in common with such purchaser or purchasers, his or their successors or assigns, upon equitable terms under proper police regulations, by payment of fair compensation for the accommodation and use received, to be agreed upon by the parties, and in case the parties are unable to agree, then to abide the decision of three disinterested competent referees to be selected by the parties, or in case the parties cannot agree on the referees, then such referees to be appointed by the court of common pleas of the county in which such city is situated; all and singular the terms and conditions aforesaid shall be inserted in and constitute part of the deed of conveyance transfering the title of said railroad and property, and proper clauses of forfeiture, for the nonperformance thereof.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Steedman moved to refer the bill to a select committee of two.

The President ruled the motion out of order.

The question being on concurring in the House amendment to said S. B. No. 90—

On demand of Mr. Richards, a call of the Senate was had.

Mr. Dungan was absent.

Mr. Richards moved that further proceedings under the call be dispensed with.

Which was agreed to.

The question recurring on concurring in said House amendment—

Mr. Forrest moved that the same be laid upon the table.

Which was disagreed to.

Mr. Steedman moved to postpone the further consideration of concurring in House amendment until Wednesday next.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 20 nays 12, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Howland, Irvine, Joy, Kelley, Krimmel, Lord, McDonald, Sabine. Steedman, Stokes, Tyler and Wagener—20.

Those who voted in the negative were—

Messrs. Beebe, Grove, Jackson of Clinton, Jackson of Perry, Johnston, Marsh, Owens, Parker, Richards, Saltzgaber, Sherrick and Wilson—12.

So the motion was agreed to.

On motion of Mr. Curtiss, the Senate took a recess.

THREE O'CLOCK P. M.

Mr. Wilson moved that the constitutional rule be suspended that S. B. No. 141 might be put on its passage.

On which motion, the yeas and nays were taken and resulted—yeas, 28, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carlisle, Carson, Curtiss, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards,

Sabine, Saltzgaber, Sherrick, Stokes, Wagener, Williams and Wilson—28.

So the motion was agreed to.

On demand of Mr. Johnston a call of the Senate was had.

Messrs. Beebe, Benson, Carson, Forrest, Steedman and Tyler were absent.

Mr. Krimmel moved that further proceedings under the call be dispensed with.

Which was agreed to.

S. B. No. 141—Mr. Jackson—To change the common pleas districts of the State, and to give greater efficiency to the common pleas and district courts.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 28, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Stokes, Tyler, Wagener, Williams and Wilson—28.

Those who voted in the negative were—

Messrs. Beer and Howland.

So the bill was passed. The title was agreed to.

Mr. Krimmel asked and obtained leave of absence for the committee on Benevolent Institutions until to-morrow evening.

Mr. Krimmel submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled the following bills and joint resolution:

H. B. No. 191—Authorizing the commissioners of Hamilton county to repair and to keep in repair the approaches to the Union bridge.

H. B. No. 285—To amend an act entitled, "An act to amend section thirty-four of an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio," passed May 1, 1872, (S. & C. 295, O. L. vol. 74, p. 180,) passed May 7, 1877.

H. B. No. 196—To change the surnames of persons therein named.

H. B. No. 287—Authorizing the council of the incorporated village of Edgarton, in Williams county, State of Ohio, to transfer certain funds.

H. B. No. 317—To relieve the incorporated village of McConnelsville.

H. B. No. 130—For the better regulation of insurance companies issuing fire policies.

H. B. No. 227—To authorize the city council of the city of Mansfield to issue bonds for water works purposes.

S. J. R. No. 38—Relating to the institution for education of deaf mutes.

Sub. for H. B. No. 99—To prevent fraud in the sale of fertilizers.

WM. JESSUP, F. M. CARTER,
J. W. WASHBURN, C. R. HARMON,
J. R. JOHNSTON, R. G. RICHARDS,
C. F. KRIMMEL.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 461—Mr. Monahan—To provide for receiving proposals for publishing the delinquent tax list of the several counties and prescribing the duties of county auditors and county commissioners.

H. B. No. 462—Mr. Cowgill—To authorize township trustees to procure, by purchase or otherwise, material for road purposes.

H. B. No. 463—Mr. Covert—To amend an act entitled "An act authorizing the election of police commissioners and consolidating the same with the board of health in cities of the first class having a population of less than 150,000 and over 90,000 inhabitants at the last federal census, and to repeal certain acts.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 464—Mr. Swaim—To authorize the commissioners of Vinton county to construct free turnpike roads in said county.

H. B. No. 465—Mr. Dempcy—To authorize the trustees of the township of Mayfield, Cuyahoga county, to transfer funds therein named.

H. B. No. 466—Mr. Dempcy—To create a lien in favor of boarding house keepers and others in certain cases.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 36—Mr. Creamer—To amend sections 5 and 6 of an act "To protect certain birds and game, and to protect landowners, and punish trespassing upon improved or enclosed land, and to repeal certain statutes therein designated," passed April 20, 1874, (O. L., v. 71, p. 147.)

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 340—Mr. Levering—Relating to incorporated villages having a population of 1087, and no more, by the federal census of 1870.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 287—Mr. Carter—Authorizing the council of the incorporated village of Edgerton, in Williams county, State of Ohio, to transfer certain funds.

H. B. No. 285—Mr. Dempcy—To amend an act entitled "An act to amend section 34 of an act entitled 'An act to provide for the creation and regulation of incorporated companies in the State of Ohio,'" passed May 1, 1872, (S. & C., 295; O. L., 74, p. 180), passed May 7, 1877.

H. B. No. 99—Mr. Wasson—To prevent fraud in the sale of fertilizers.

H. B. No. 191—Mr. Sullivan of Hamilton—Authorizing the commissioners of Hamilton county to repair, and to keep in repair, the approaches to the Union bridge.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills and joint resolution:

H. B. No. 130—Mr. Bohl—For the better regulation of insurance companies, other than life and accident, issuing fire policies.

H. B. No. 317—Mr. Morrey—To relieve the incorporated village of McConnelsville.

H. B. No. 196—Mr. White—To change the surnames of persons therein named.

H. B. No. 227—Mr. Bloom—To authorize the city council of the city of Mansfield to issue bonds for water works purposes.

S. J. R. No. 38—Mr. Lord—Relating to the institution for education of deaf mutes.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills and joint resolution.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has refused to concur in Senate amendments to—

H. B. No. 96—Mr. Williams—To reorganize the institution for the education of the deaf and dumb.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Johnston moved that the Senate insist on its amendments to said bill.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

Sub. for H. B. No. 189—Mr. Reed of Ross—To enable the commissioners of Ross county to purchase toll roads and convert the same into free roads.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolutions in which the concurrence of the Senate is requested:

H. J. R. No. 36—Mr. Sawyer—To appoint a committee to examine and report to the General Assembly as to public works.

H. J. R. No. 39—Mr. Bohl—To authorize the officers of the Athens Insane Asylum to receive Mr. Enoch into said institution.

H. J. R. No. 40—Mr. Townsend—To authorize the superintendent of the Athens Insane Asylum to admit George Selig into the institution as patient.

Attest: L. A. BRUNNER, *Clerk.*

The question being on the adoption of H. J. R. No. 36, the yeas and nays were taken and resulted—yeas 21, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carson, Fisher, Forrest, Howland, Irvine, Jackson of Clinton, Joy, Kelley, Lord, Marsh, McDonald, Parker, Richards, Sabine, Sherrick, Stokes, Wagener, Williams and Wilson—21.

Mr. Johnston voted in the negative—1.

So said joint resolution was adopted.

The question being on the adoption of H. J. R. No. 39, the yeas and nays were taken and resulted—yeas 19, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carson, Fisher, Forrest, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Lord, Marsh, McDonald, Parker, Richards, Sabine, Stokes, Williams and Wilson—19.

Mr. Howland voted in the negative—1.

So said joint resolution was adopted.

The question being on the adoption of H. J. R. No. 40, the yeas and nays were taken and resulted—yeas 19, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Fisher, Forrest, Howland, Jackson of Clinton, Jackson of Perry. Johnston, Kelley, Lord, Marsh, McDonald, Parker, Richards, Sabine, Steedman, Stokes, Williams and Wilson—19.

So said joint resolution was adopted.

The President appointed Messrs. Lord and Carson, as committee on part of the Senate, in pursuance of H. J. R. No. 36.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill—

S. B. No. 94—Mr. Carlisle—For the better organization and management of the imbecile asylum—

With the following amendments, in which the concurrence of the Senate is requested:

Strike out of section 1 all after the word "of," as it occurs the second time in line 3, to and including the word "years," in line 10, and insert in lieu of same as follows: "Three trustees, who shall, within ten days after the passage of this act, be appointed by the Governor, by and with the advice and consent of the Senate, one to serve one year, one to serve two years, and one to serve three years, and at the expiration of their respective terms, their successors shall be appointed in the same manner for three years."

Strike out section 2, and insert in lieu thereof the following:

"Section 2. The board, at its first meeting and annually thereafter, shall organize by appointing one of their members president, and shall appoint a secretary, who shall receive an annual salary, to be fixed by the trustees, and shall have his board and lodge in the institution. He shall act under the superintendent, and as his assistant shall keep the books of the institution, and make a faithful entry of all its financial transactions, also keep a complete record of all the proceedings and orders of the board, and discharge such other duties as shall be assigned him by the superintendent or trustees; he shall be subject to removal at the pleasure of the board."

Strike out section 4.

In section 5, line 1, after the word "shall," as it occurs the second time, insert as follows: "Before entering upon the discharge of his duties, give bond to the State of Ohio in the sum of $20,000, with sureties to the satisfaction of the board of trustees, for the faithful performance of his duties; he shall."

Make section 5 section 4.

Make section 6 section 5.

Make section 7 section 6.

Make section 8 section 7.

Insert the following as section 8:

"Section 8. The object aimed at in the institution shall be such training and educating of those received as to render them more comfortable, happy, and better fitted to care for and support themselves. To this end, the trustees shall furnish to them such agricultural and mechanical education as they may be capable of receiving, and as the facilities furnished by the State will allow, including shops and employment of teachers of trades, who may at any time be discharged for cause."

In section 11, line 3, strike out the word "name."

In lines 4 and 5, same section, strike out the words "for each month of," and insert, in lieu of the same, as follows: "In attendance during."

Strike out section 12, and insert, in lieu thereof, as follows:

"Section 12. There shall be visitations and thorough examinations of all parts of the institution, monthly by one or more of said truttees, and quarterly by a majority of the same, and there shall be drawn and

placed on record a detailed statement of the condition of the institution, which record shall at all times be open to the inspection of the committee of the Legislature on Benevolent Institutions. The trustees, during their monthly visitations, shall examine the books and accounts, and before any accounts or claims are paid, the same shall be examined and certified by at least two of the trustees."

In section 13, line 3, strike out the word "three" and insert "two."

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Johnston, said amendments were laid on the table and ordered to be printed.

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 4th day of April, 1878

To the Senate:

I have the honor to nominate, and, by and with the advice and consent of the Senate appoint—

James D. Poston, of Hocking county, to be mine inspector, for the term of four years from the 6th of April, 1878.

Very respectfully,

RICHARD M. BISHOP, *Governor.*

On motion, said message was referred to the committee on Mines and Mining.

Bills were read the second time and referred as follows:

H. B. No. 347—Mr. Clough—To provide for a supply of water, for fire and other purposes, in certain cities of the second class.

To committee on Municipal Corporations.

H. B. No. 355—Mr. Clough—To authorize the auditor of Butler county to pay a claim named therein.

To committee on Railroads, Telegraphs and Turnpikes.

H. B. No. 358—Mr. Hardy, of Defiance—To authorize the commissioners of Defiance county to complete a bridge therein named.

To committee on Roads and Highways.

H. B. No. 364—Mr. Greene—Supplementary to the act entitled "an act relating to the payment of certain bonds of the city of Xenia," passed February 22, 1877, (O. L., v. 74, page 396).

To committee on Municipal Corporations.

H. B. No. 402—Mr. Achauer—To authorize the trustees of the Presbyterian church of New Concord, Muskingum county, Ohio, to convey to the Pleasant Hill cemetery association of Union township, of said county, certain cemetery grounds, owned by said church association.

To committee on Corporations other than Municipal.

S. B. No. 166—Mr. Sherrick—To repeal section 7 of chapter 5 of an act entitled an act to amend, revise and consolidate the statutes relating to criminal procedure, passed May 5, 1877, (O. L., vol. 74, page 340).

To committee on Finance.

S. B. No. 167—Mr. Sherrick—To provide for the creation and regulation of telephone companies.

To committee on Railroads and Telegraphs.

S. B. No. 143—Mr. Sabine—Relating to ditches.

Was read the third time.

Mr. Sabine moved to refer the bill to a select committee of one, with instructions to amend—

By inserting in section 1, line 4, between the words "constructed" and "as," the words "or straightened, widened, deepened, or altered."

By striking out the word "said," in section 3, line 38, and inserting the word "a."

By striking out the word "nineteen," in section 24, line 2, and inserting the word "eighteen."

And by adding to section 45 the words following: "And provided, further, that the proceedings under this act shall not be held to be void on account of any irregularity in form of the petition, or of any informality appearing in the records of the proceedings of the county commissioners, or any other proceedings pertaining thereto."

Which was agreed to, and Mr. Sabine was appointed such committee.

Mr. Sabine, on leave submitted the following report:

The select committee of one, to whom was referred S. B. No. 143, with instructions to amend, reports the same back amended as instructed.

HILAS SABINE.

Mr. Wilson moved to re-commit the bill to a select committee of one, with instructions to amend as follows:

In Section 15, line 28, between the words "ditch" and "but," insert the following:

"Provided, however, that said commissioners, in their discretion, upon the petition of a majority of the land holders, whose lands are assessed for such improvement, may extend the time of payment to any period not exceeding five years."

Which was agreed to, and Mr. Wilson was appointed such committee.

Mr. Wilson, on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No. 143, with instructions to amend, reports the same back amended as instructed.

G. W. WILSON.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Dungan, Fisher, Forrest, Howland, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Lord, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Steedman, Stokes, Wagener, Williams and Wilson—22.

So the bill was passed.

Mr. Wilson moved to amend the title by adding "drains and water courses."

Which was agreed to.

The title, as amended, was agreed to.

H. J. R. No. 23—Mr. Van Cleaf—In relation to contract for the keeping of insane in Lucas county insane asylum.

Was taken up.

The question being on the adoption of said H. J. R. No. 23, the yeas and nays were taken, and resulted—yeas 20, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Dungan, Fisher, Forrest, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Lord, Marsh, McDonald, Owens, Parker, Sabine, Saltzgaber, Steedman, Stokes, Wagener, Williams and Wilson —20.

So the said H. J. R. was adopted.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 150—To amend section 4 of "an act regulating the Commercial hospital of Cincinnati," passed March 11, 1861, (O. L., vol. 61, page 142,) and to repeal certain amendments thereto, passed January 26, 1875, (O. L., vol. 72, page 197)—

Having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended:

After the word "mill," in line 5 of section 1, insert the words "on the dollar valuation."

W. T. Forrest, G. M. Saltzgaber,
D. Wagener, Irvine Dungan,
J. R. Johnston, Lyman J. Jackson.

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 163—To authorize the election of three additional judges in the first judicial district—

Having had the same under consideration, report it back, and recommend its passage.

W. T. Forrest, D. Wagener,
Irvine Dungan, J. R. Johnston,
Lyman J. Jackson.

Said bill was ordered to be engrossed, and read the third time to-morrow.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 278—To change the time of holding the September term of the court of common pleas, in Franklin county, in the year 1878—

Having had the same under consideration, report it back, and recommend its passage.

W. T. Forrest, D. Wagener,
Irvine Dungan, J. R. Johnston,
Lyman J. Jackson.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. J. R. No. 28—Authorizing William A. Neil to bring an action against the State of Ohio for damages—

Having had the same under consideration, report it back, and recommend its indefinite postponement.

W. T. FORREST, D. WAGENER,
IRVINE DUNGAN, J. R. JOHNSTON,
LYMAN J. JACKSON.

Said report was adopted, and the joint resolution was indefinitely postponed.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 195—Supplementary to an act entitled "An act to amend section five of an act entitled an act to amend an act relating to the reorganization of courts of justice, and their powers and duties," passed March 14, 1853, passed April 29, 1854, (O. L., v. 52, p. 73)—

Having had the same under consideration, report it back, and recommend its indefinite postponement.

W. T. FORREST, D. WAGENER,
IRVINE DUNGAN, J. R. JOHNSTON.

Mr. Jackson of Perry moved that the report and bill be laid on the table.

Which was agreed to.

Mr. Johnston submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 366—To divide Little Muskingum precinct, in Marietta township, Washington county, into two election precincts—

Having had the same under consideration, report it back, and recommend its passage.

J. R. JOHNSTON, IRVINE DUNGAN,
G. M. SALTZGABER, W. T. FORREST.

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Dungan submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 377—To enable certain trustees of the first regular Baptist church of Jackson, Jackson county, Ohio, to convey certain real estate—

Having had the same under consideration, report it back, and recommend its passage.

IRVINE DUNGAN, W. P. HOWLAND,
W. T. FORREST, G. M. SALTZGABER,
LYMAN J. JACKSON, J. R. JOHNSTON.

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Dungan submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 292—To authorize the commissioners of Scioto county, Ohio, to complete the turnpike road leading from Portsmouth past the Catholic cemetery, in said county, and to issue bonds therefor—

Having had the same under consideration, report it back without recommendation.

IRVINE DUNGAN, G. M. SALTZGABER,
W. T. FORREST, W. P. HOWLAND,
LYMAN J. KACKSON, J. R. JOHNSTON.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr.Marsh submitted the following report :

The standing committee on Municipal Corporations, to whom was referred H. B. No. 151—To authorize the council of the village of Middletown, Butler county, Ohio, to make a contract with the Middletown gas company, for lighting streets, alleys and public buildings, for a period not to exceed ten years, and to levy taxes to pay the cost as it becomes due by the terms of said contract—

Having had the same under consideration, report it back and recommend its indefinite postponement.

THEO. MARSH, LYMAN J. JACKSON,
G. M. SALTZGABER, JAMES B. STEEDMAN,
G. W. WILSON.

Said report was agreed to, and the bill was indefinitely postponed.

Mr. Wilson submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 303—To authorize the city of South Toledo to issue bonds and borrow money, for the completion of a certain road therein named—

Having had the same under consideration, report it back and recommend its passage.

G. W. WILSON, J. B. STEEDMAN,
R. G. RICHARDS, G. M. SALTZGABER,
THEO. MARSH.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Saltzgaber submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 321—To give entire control of the so-called market fund of the city of Cleveland to the council of said city—

Having had the same under consideration, report back the following as a substitute therefor, and recommend the passage of the substitute:

"To authorize the council of the city of Cleveland to transfer funds.

"SECTION 1—*Be it enacted by the General Assembly of the State of Ohio*, That from and after the passage of this act, the common council of the city of Cleveland is hereby authorized to transfer any surplus moneys belonging to the market fund of said city to any other fund of said city, such transfer to be by ordinance passed for that purpose.

"SEC. 2. This act shall be in force from and after its passage.

THEO. MARSH, LYMAN J. JACKSON,
R. G. RICHARDS, G. M. SALTZGABER,
G. W. WILSON, G. A. GROVE.

Said substitute was agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Richards submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 182--To authorize the village of West Cleveland, Ohio, to issue bonds to the amount of $6,000, for the purpose of paying for a culvert, built by said corporation, under the Lake Shore & Michigan Southern railroad, at the intersection of Lake avenue—

Having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH, G. M. SALTZGABER,
LYMAN J. JACKSON, R. G. RICHARDS,
G. W. WILSON, G. A. GROVE.

Said bill was ordered to be engrossed and read the third time now, and was then read.

Mr. Forrest moved to refer the bill to a select committee of one, with instructions to amend as follows:

In section 1, line 10, strike out the word "eight," and insert in lieu thereof the word "seven."

Which was agreed to, and Mr. Forrest was appointed such committee.

Mr. Forrest, on leave, submitted the following report:

The select committee of one, to whom was referred H. B. No. 182, with instructions to amend, reports the same back amended as instructed.

W. T. FORREST.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 23, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Dungan, Fisher, Forrest, Howland, Jackson of Perry, Johnston, Joy, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Sherrick, Steedman, Stokes, Wagener, Williams and Wilson—23.

So the bill was passed. The title was agreed to.

Mr. Sherrick submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 383—For the relief of Milo McCombs—

Having had the same under consideration, report it back, and recommend its passage.

JOHNSON SHERRICK, THOS. M. BEER,
H. C. LORD, H. W. CURTISS,
J. M. CARSON, IRVINE DUNGAN.

Said bill was ordered to be engrossed, and read the third time tomorrow.

Mr. Sherrick submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 314—To authorize the trustees of Olmsted township, Cuyahoga county, Ohio, to join with the council of the incorporated village of Olmsted Falls, in the construction of a town hall for the joint use of said township and said village—

Having had the same under consideration, report it back and recommend its passage.

JOHNSON SHERRICK, IRVINE DUNGAN,
H. W. CURTISS, THOS. M. BEER,
J. M. CARSON, H. C. LORD.

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Benson submitted the following report:

The standing committee on Fees and Salaries, to whom was referred

H. B. No. 373—To amend section 7 of an act to provide for the election of township assessors, and to prescribe their duties, passed and took effect April 4, 1859; amended February 24, 1862, as further amended March 13, 1865, (O. L., v. 62, p. 41), (S. & S., p. 19)—

Having had the same under consideration, report it back and recommend its passage.

G. M. Saltzgaber, G. W. Wilson,
Theo. Marsh, H. Sabine,
James B. Steedman, John H. Benson.

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Sabine submitted the following report:

The standing committee on Salaries and Fees, to whom was referred S. B. No. 22—To fix compensation of the attorney general—

Having had the same under consideration, report it back, and recommend its passage.

G. M. Saltzgaber, G. W. Wilson,
Theo. Marsh, John H. Benson.

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Wilson submitted the following report:

The standing committee on Salaries and Fees of Public Officers, to whom was referred H. B. No. 67—To reduce fees and salaries of county officers—

Having had the same under consideration, report it back, without recommendation.

G. W. Wilson, James B. Steedman,
H. Sabine, G. M. Saltzgaber,
Theo. Marsh.

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Lord submitted the following report:

The standing committee on Privileges and Elections, to whom was referred H. B. No. 265—To divide Alliance precinct, in the township of Lexington, and county of Stark, into two election precincts—

Having had the same under consideration, report it back and recommend its passage.

H. C. Lord, J. R. Johnston,
W. T. Forrest, G. M. Saltzgaber.

Said bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Joy, from the select committee appointed pursuant to S. J. R. No. 10, submitted a lengthy report, setting forth the results of the committee's investigation. [See appendix.]

On motion of Mr. Johnston, said report was laid upon the table and ordered to be printed.

On motion of Mr. Saltzgaber, the Senate went into Committee of the Whole for the consideration of S. B. No. 115.

After some time spent therein, the committee arose, reported progress, and asked leave to sit again.

Which was granted.

On motion of Mr. Saltzgaber, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

FRIDAY, APRIL 5, 1878—10 o'clock A. M

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Moore.

The Journal was read and approved.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has refused to concur in Senate amendments to—

H. J. R. No. 23—Mr. Van Cleaf—In relation to contract for the keeping of insane in Lucas county insane asylum.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Howland moved that the Senate insist on its amendments.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has refused to concur in Senate amendments to—

H. B. No. 96—Mr. Williams—To reorganize the institution for the education of the deaf and dumb—

And requests the appointment of a committee of Conference.

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Howland the request of the House was acceded to, and Messrs. Howland, Lord and Krimmel were appointed as such Conference committee, on part of the Senate.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of following bill:

S. B. No. 57—Mr. Saltzgaber—To change the time for holding the second term of the court of common pleas in the counties of Mercer and Van Wert for the year 1878—

With the following amendments in which the concurrence of the Senate is requested:

In line 4, strike out the word "sixth" and insert the word "third."

In line 5, strike out the word "May" and insert the word "June."

In section 2, line 4, str ke out the word "twenty-seventh" and insert the word "thirteenth."

Attest: L. A. BRUNNER, *Clerk.*

The question being on agreeing to the House amendments to said bill, the yeas and nays were taken and resulted—yeas 24, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Carson, Dungan, Fisher, Forrest, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Wagener and Wilson—24.

So said House amendments were agreed to.

Bills were read the second time and referred as follows:

Sub. for H. B. No. 189—Mr. Reed of Ross—To enable the commissioners of Ross county to purchase toll roads, and convert the same into free roads.

To committee on Federal Relations.

H. B. No. 36—Mr. Creamer—To amend sections 5 and 6 of an act "To protect certain birds and game, and to protect landowners, and punish trespassing upon improved or enclosed land, and to repeal certain statutes therein designated," passed April 20, 1874, (O. L., v. 71, p. 147.)

To committee on Fish Culture and Game.

H. B. No. 340—Mr. Levering—Relating to incorporated villages having a population of 1087, and no more, by the Federal census of 1870.

To committee on Currency.

S. B. No. 162—Mr. Lord—Supplementary to an act entitled "An act to authorize the commissioners of Hamilton county to levy a tax for further improving the course of Mill creek," passed May 1, 1873, (70 O. L., 377.)

Was read the third time.

Mr. Forrest moved that the further consideration of said bill be postponed until Wednesday of next week.

Which was agreed to.

S. B. No. 150—Mr. Armstrong—To amend section 4 of "An act regulating the commercial hospital of Cincinnati, passed March 11, 1861, (O. L., v. 61, 142,) and to repeal certain amendments thereto," passed January 26, 1875, (O. L., v. 72, p. 197.)

Was read the third time.

Mr. Forrest moved that the bill be referred to a select committee of one with instructions to amend as follows:

In line 7, section 1, strike out the words "Hamilton county" and insert in lieu thereof the words, "the city of Cincinnati."

In line 10, strike out the word "county" and insert in lieu thereof the word "city."

And in line 12, strike out the word "county," and insert in lieu thereof the word "city."

Which was agreed to, and Mr. Forrest was appointed such committee.

Mr. Forrest on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No. 150. with instructions to amend, reports the same back amended as instructed,

W. T. FORREST.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 20, nays 5, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carson, Fisher, Forrest, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, McDonald, Parker, Sabine, Saltzgaber, Sherrick, Stokes, Wagener and Williams—20.

Those who voted in the negative were—

Messrs. Lord, Marsh, Owens, Richards and Wilson—5.

So the bill was passed. The title was agreed to.

Mr. Johnston submitted the following report:

The joint committee on Enrollment have examined and found correctly enrolled, the following bill:

H. B. No. 309—To amend section 1 of the act of April 2, 1866, (63, v. 84, S. & S., 783,) entitled "An act to authorize the erection, improving, enlarging or constructing additions to town halls, and to repeal an act therein named.

WM. JESSUP, F. M. CARTER,
J. W. WASHBURN, C. R. HARMON,
R. G. RICHARDS, J. R. JOHNSTON.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills in which the concurrence of the Senate is requested:

H. B. No. 218—Mr. Booth—Providing for the payment of the cost of building levees to protect lands from overflow in certain cases.

H. B. No. 304—Mr. Elliott—To authorize the trustees of Delaware township, Delaware county, Ohio, to levy a tax for money to build a bridge.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 339—Mr. Johnson—To authorize the trustees of Mill township, Tuscarawas county, to levy a tax on the taxable property of said township to assist the P. C. & St. L. Railroad company to build car shops and foundry in the town of Dennison in said county.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 68—Mr. Armstrong—Relative to indexing pending suits. and executions not dormant—

With the following amendment, in which the concurrence of the Senate is requested:

In section 1, line 4, after the word "over," insert the words "by the last Federal census."

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Johnston, said bill was laid on the table.

Mr. Dungan submitted the following report:

The joint committee on Enrollment have examined and found correctly enrolled the following bill:

S. B. No. 57—To change the time for holding the second term of the court of common pleas in the counties of Mercer and Van Wert, for the year 1878.

IRVINE DUNGAN, R. G. RICHARDS,
J. R. JOHNSTON, J. W. WASHBURN,
WM. JESSUP, F. M. CARTER.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 105—Mr. Worley—To amend section 50 of an act entitled "An act for the reorganization and maintenance of common schools," passed May 1, 1873, and to repeal section 31 of an act entitled "An act to amend and supplementary to an act entitled an act to provide for the organization, supervision and maintenance of common schools," passed March 14, 1852, and acts amendatory thereto; also, supplementary to an act for the support and better regulation of common schools in the town of Akron, passed February 8, 1847, and the acts amendatory thereto; also, supplementary to an act for the better regulation of the public schools in cities, towns, etc., passed February 21, 1849, and the acts amendatory thereto.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 309—Mr. Herrick—To amend section 1 of the act of April 2, 1866, (63 v. 84; S. & S., 783) entitled "An act to authorize the erection, improving, enlarging or constructing additions to town halls, and to repeal an act therein named."

S. B. No. 57—Mr. Saltzgaber—To change the time for holding the second term of the court of common pleas in the counties of Mercer and Van Wert, for the year 1878.

Attest: L. A. BRUNNER, *Clerk.*

The President *pro tem.*, in presence of the Senate, signed said bills.

H. B. No. 278—Mr. Booth—To change the time of holding the September term of the court of common pleas in Franklin county, in the year 1878.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 20, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Fisher, Forrest, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Lord, McDonald, Owens, Richards, Sabine, Saltzgaber, Stokes, Williams and Wilson—20.

So the bill was passed. The title was agreed to.

On motion of Mr. Williams, the Senate took a recess.

THREE O'CLOCK P. M.

Mr Johnston submitted the following report:

The joint committee on Enrollment have examined and found correctly enrolled the following bill:

H. B. No. 44—To provide for the reorganization, government and better regulation of Longview asylum, and to repeal certain acts therein named.

J. W. Washburn, Wm. Jessup,
F. M. Carter, J. R. Johnston,
R. G. Richards, Duncan Dow,
C. R. Harmon.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

H. B. No. 44—Mr. Sextro—To provide for the reorganization, government and better regulation of Longview asylum, and to repeal certain acts therein named.

Attest: L. A. Brunner, *Clerk.*

The President, in presence of the Senate, signed said bill.

On demand of Mr. Jackson of Perry, a call of the Senate was had.

Messrs. Benson, Carson, Joy, Steedman, Sherrick and Wagener were absent.

Mr. Johnston asked and obtained leave of absence for Mr. Sherrick for to-day, on account of sickness.

On motion of Mr. Johnston, further proceedings under the call were dispensed with.

On motion of Mr. Kelley, H. B. No. 373 was taken up out of its order on the calendar, and read the third time.

The question being, "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 19, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carson, Dungan, Fisher, Irvine, Jackson

of Clinton, Jackson of Perry, Johnston, Kelley, Lord, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Williams and Wilson—19.

So the bill was passed. The title was agreed to.

H. B. No. 366—Mr. Bohl—To divide "Little Muskingum precinct," in Marietta township, Washington county, into two election precincts.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 21, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carson, Dungan, Fisher, Forrest, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Lord, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Stokes Williams and Wilson—21.

So the bill passed. The title was agreed to.

H. B. No. 377—Mr. Monahan—To enable certain trustees of the First Regular Baptist Church of Jackson, Jackson county, Ohio, to convey certain real estate.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 20, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carson, Dungan, Fisher, Forrest, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Lord, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Stokes and Wilson—20.

So the bill was passed. The title was agreed to.

H. B. No. 292—Mr. Hayman—To authorize the commissioners of Scioto county, Ohio, to complete the turnpike road leading from Portsmouth past the Catholic cemetery, in said county, and to issue bonds therefor.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 20, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carson, Dungan, Fisher, Forrest, Howland, Irvine, Jackson of Clinton, Kelley, Lord, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Stokes, Williams and Wilson—20.

So the bill was passed. The title was agreed to.

Sub. for H. B. No. 321—Mr. Poe—To authorize the council of the city of Cleveland to transfer funds.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 20, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carson, Dungan, Fisher, Forrest, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Lord, McDonald, Parker, Richards, Sabine, Saltzgaber, Stokes, Williams and Wilson—20.

So the bill was passed. The title was agreed to.

H. B. No. 383—Mr. Reed of Trumbull—For the relief of Milo McCombs.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 19, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carson, Fisher, Forrest, Howland, Irvine,

Jackson of Clinton, Johnston, Kelley, Lord, McDonald, Parker, Richards, Sabine, Saltzgaber, Stokes, Williams and Wilson—19.

Mr. Owens voted in the negative—1.

So the bill was passed. The title was agreed to.

H. B. No. 314—Mr. Poe—To authorize the trustees of Olmsted township, Cuyahoga county, Ohio, to join with the council of the incorporated village of Olmsted Falls, in the construction of a town hall for the joint use of said township and said village.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 19, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Beer, Fisher, Forrest, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Stokes, Williams and Wilson—19.

So the bill was passed. The title was agreed to.

S. B. No. 22—Mr. Saltzgaber—To fix the compensation of the attorney general.

Was read the third time.

Mr. Owens moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out the words "two thousand," and insert "fifteen hundred."

Which was agreed to, and Mr. Owens was appointed such committee.

Mr. Owens, on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No. 22, with instructions to amend, reports the same back amended as instructed.

Jas. W. Owens.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 21, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Dungan, Fisher, Forrest, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Steedman, Stokes Williams and Wilson—21.

Those who voted in the negative were—

Messrs. Beer and Howland—2.

So the bill was passed. The title was agreed to.

Mr. Steedman moved that S. B. No. 135 be taken from the table.

Which was agreed to.

Said bill was ordered to be placed on the calendar for third reading on Tuesday next.

H. B. No. 67—Mr. Boyce—To reduce fees and salaries of county officers.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 18, nays 5, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Dungan, Fisher, Forrest, Howland, Johnston, Kelley, Lord, Marsh, Parker, Richards, Sabine, Saltzgaber, Steedman, Stokes, Williams and Wilson—18.

Those who voted in the negative were—

Messrs. Jackson of Clinton, Jackson of Perry, McDonald, Owens and Wagener—5.

So the bill was passed. The title was agreed to.

H. B. No. 303—Mr. Kellogg—To authorize the city of South Toledo to issue bonds and borrow money, for the completion of a certain road therein named.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 22, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Dungan, Fisher, Forrest, Howland, Jackson of Clinton, Jackson of Perry, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Steedman, Stokes, Wagener, Williams and Wilson—22.

So the bill was passed. The title was agreed to.

Mr. Stokes moved that the vote whereby H. B. No. 155 was indefinitely postponed be reconsidered.

Which was agreed to.

Mr. Stokes moved that a message be sent to the House of Representatives requesting the return of said H. B. No. 155.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 151—Mr. Carson—To re-instate a sub-school district in Jackson township, Shelby county.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has refused to concur in the passage of the following bill:

S. B. No. 6—Mr. Forrest—To prescribe the duties of county commissioners in counties containing cities of the first class, having a population exceeding 180,000.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has appointed Messrs. Williams, Clough and Oglevee, as a conference committee on the part of the House, to consider the differences between the two Houses on—

H. B. No. 96—Mr. Williams—To reorganize the institution for the education of the deaf and dumb.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Johnston offered the following joint resolution:

S. J. R. No. 43—Providing for the printing of additional copies of the Secretary of State's report, for distribution among the members.

Be it resolved by the General Assembly of the State of Ohio, That there be

printed and bound in muslin, in the usual manner, 12,000 copies of the Secretary of State's report for the year 1877, for the use of, and to be equally distributed to, the members of the present General Assembly. To determine what number of such reports are to be printed in German, it shall be the duty of the Secretary of State to ascertain from each member of the General Assembly what number of the report he is entitled to receive he wishes to be in the German language; the aggregate amount so determined shall be the number authorized to be printed in German, and they shall be distributed accordingly, and in the manner that each member may indicate to the Secretary of State: Provided, that in the printing of the copies herein provided for, there shall be no charge for composition.

Mr. Johnston moved that said joint resolution be referred to the committee on Public Printing.

Mr. Beer offered the following joint resolution:

S. J. R. No. 44—Directing the Secretary of State to ship and distribute certain public documents.

Be it resolved by the General Assembly of the State of Ohio, That the Secretary of State be, and he is hereby, directed to have boxed up, the geological survey reports, and the statistical reports of the secretary of State, to which the members of the General Assembly are entitled, and ship the same to the address of the several members respectively; and the Secretary of State is hereby directed to prepay the charges for shipping the same out of the amount appropriated for the distribution of the laws, journals and public documents, and take vouchers for the same.

Mr. Beer moved that said joint resolution be referred to the committee on Finance.

Which was agreed to.

Mr. Johnston, on leave, introduced the following bill, which was read the first time:

S. B. No. 168—Prescribing the duties of county commissioners and township trustees, in certain cases therein named.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred S. B. No. 149—To authorize the board of trustees of the Cincinnati hospital, to establish a branch hospital for the accommodation of persons afflicted with contagious diseases—

Having had the same under consideration, report it back with the following amendments, and recommend its passage when so amended:

In line 3, section 3, after the word "the," strike out "county" and insert "city."

In line 9, section 3, fill the blank with words and figures "one-third ($\frac{1}{3}$)."

In line 10, section 3, after the word "mill," insert "on the dollar valuation."

In line 13, section 3, after the first word "the," strike out "county" and insert "city."

In line 14, section 3, after the first word "the" strike out "county" and insert "city."

THEO. MARSH, LYMAN J. JACKSON,
R. G. RICHARDS, G. M. SALTZGABER.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Marsh submitted the following report:

The standing committee on Conference, to whom was referred the subject matter of difference between the Senate and House upon Senate amendments to Sub. for H. B. No. 140—To amend section 35, chapter 8, of an act entitled an act to amend, revise and consolidate the statutes of Ohio—

Having had the same under consideration, report it back, and recommend that the Senate amendment be amended by inserting, at the end of line 18, section 1, the words "excepting reservoirs containing 1,000 acres or more," and that the House concur in Senate amendment and this amendment.

THEO. MARSH,
WM. H. STOKES,
Senate Committee.

J. L. CARPENTER,
J. L. TYLER,
ROSS J. ALEXANDER,
House Committee.

The question being on agreeing to the report of the conference committee, the yeas and nays were taken, and resulted—yeas 19, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Dungan, Fisher, Forrest, Howland, Jackson of Clinton, Joy, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Stokes, Williams and Wilson—19.

Mr. Wagener voted in the negative—1.

So the report of the committee was agreed to.

Mr. Howland moved to take from the table H. B. No. 206.

Which was agreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 20, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Dungan, Fisher, Forrest, Howland, Jackson of Clinton, Johnston, Joy, Kelley, Lord, McDonald, Owens, Parker, Richards, Sabine, Steedman, Wagener, Williams and Wilson—20.

So the bill was passed. The title was agreed to.

Leave of absence was asked and obtained for Mr. Jackson, of Perry, until Wednesday next.

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 5TH DAY OF APRIL, 1878.

To the Senate:

I have the honor to nominate, and, by and with the advice and consent of the Senate, appoint—

J. C. Morris, to be director of Longview Asylum for the term of one year.

Hiram D. Peck, to be director of Longview Asylum for the term of two years.

Very respectfully, RICHARD M. BISHOP, *Governor.*

Mr. Forrest moved that the Senate advise and consent to said appointment of J. C. Morris.

On which motion the yeas and nays were taken and resulted—yeas 21, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Dungan, Fisher, Forrest, Howland, Jackson of Clinton, Johnston, Joy, Kelley, Lord, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Steedman, Wagener, Williams and Wilson—21.

So the Senate advised and consented to said appointment.

The Senate proceeded to advise and consent to the appointment of Hiram D. Peck.

On which the yeas and nays were taken and resulted—yeas 20, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Dungan, Fisher, Forrest, Howland, Jackson of Clinton, Joy, Kelley, Lord, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Steedman, Wagener, Williams and Wilson—20.

So the Senate advised and consented to said appointment.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 349—Mr. McCoy of Lawrence—To authorize certain cities of the second class to levy additional taxes.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the adoption of Senate sub. for—

H. B. No. 321—Mr. Poe—To give entire control of the so-called market fund of the city of Cleveland to the council of said city.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to—

H. B. No. 182—Mr. Palmer—To authorize the village of West Cleveland, Ohio, to issue bonds to the amount of $6,000, for the purpose of paying for a culvert, built by said corporation, under the Lake Shore & Michigan Southern Railroad, at the intersection of Lake avenue.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Dungan moved that the vote by which H. B. No. 67 was passed be reconsidered.

Which was disagreed to.

Mr. Richards submitted the following report:

The standing committee on Corporations other than Municipal, to whom was referred H. B. No. 284—To authorize the trustees of the parsonage of the East Plainfield circuit, Methodist Episcopal church, Coshocton county, to sell certain land—

Having had the same under consideration, report it back, and recommend its passage.

R. G. RICHARDS, J. R. JOHNSTON,
LYMAN J. JACKSON, J. M. ARMSTRONG.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Fisher submitted the following report:

The standing committee on Public Expenditures, to whom was referred H. J. R. No. 34—Providing for the printing of the report of the fish commissioners—

Having had the same under consideration, report it back, with following amendment, and recommend its passage when so amended:

In the first line of the resolution, strike out the word "one" and insert "two."

And in line three, strike out all after the word "form" and insert the words "five hundred copies for the use of the fish commissioners, and the remainder to be distributed among the members of this General Assembly."

J. C. FISHER, JOHN SEITZ,
J. B. WILLIAMS, C. S. PARKER,
G. M. SALTZGABER.

Said amendments were agreed to.

The question being on the adoption of the joint resolution, the yeas and nays were taken and resulted—yeas 21, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Dungan, Fisher, Howland, Joy, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Steedman, Stokes, Wagener, Williams and Wilson—21.

So said joint resolution was adopted.

On motion of Mr. Forrest, the Senate went into committee of the whole for the consideration of S. B. No. 115, and after some time spent therein, arose, reported progress, and asked leave to sit again.

Which was granted.

On motion of Mr. Howland the Senate adjourned.

Attest: D. S. FISHER, *Clerk, pro tem.*

SATURDAY, APRIL 6—10 o'clock A. M.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Moore.

The Journal was read and approved.

Mr. Johnston submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bill and joint resolutions:

H.B. No. 182—To authorize the village of West Cleveland, Ohio, to issuebonds to the amount of six thousand dollars, for the purpose of paying for a culvert built by said corporation under the Lake Shore & Michigan Southern railroad at the intersection of Lake avenue.

H. J. R. No. 36—To appoint a committee to examine and report to the General Assembly as to public works.

H. J. R. No. 40—To authorize the superintendent of the Athens insane asylum to admit George Selig into the institution as a patient.

H. J. R. No. 39—To authorize the officers of the Athens insane asylum to receive Mrs. Enoch into said institution.

J. R. JOHNSTON, D. DOW,
F. M. CARTER, C. R. HARMON,
R. G. RICHARDS, WM. JESSUP,
J. W. WASHBURN.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives requests the return of—

S. B. No. 6—Mr. Forrest—To prescribe the duties of county commissioners in counties containing cities of the first-class, having a population exceeding 180,000.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Johnston moved that the request of the House be acceded to.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives accedes to the request of the Senate and herewith returns—

H. B. No. 155—Mr. Clough—To authorize the council of the village of Middletown, Butler county, Ohio, to make a contract with the Middletown gas company for lighting streets, alleys and public buildings for a period not to exceed ten years, and to levy taxes to pay the cost as it becomes due by the terms of said contract.

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Stokes, said bill was referred to the committee on Municipal Corporations.

Bills were read the second time and referred as follows:

H. B. No. 218—Mr. Booth—Providing for the payment of the cost of building levees to protect lands from overflow in certain cases.

To committee on Claims.

H. B. No. 304—Mr. Elliott—To authorize the trustees of Delaware township, Delaware county, Ohio, to levy a tax for money to build a bridge.

To committee on Roads and Highways.

H. B. No. 339—Mr. Johnson—To authorize the trustees of Mill township, Tuscarawas county, to levy a tax on the taxable property of said

township, to assist the P., C. & St. L. railroad company to build car shops and foundry in the town of Dennison, in said county.

To committee on Municipal Corporations.

H. B. No. 105—Mr. Worley—To amend section 50 of an act entitled "An act for the reorganization and maintenance of common schools," passed May 1, 1873, and to repeal section 31 of an act entitled "An act to amend and supplementary to an act entitled an act to provide for the organization, supervision and maintenance of common schools," passed March 14, 1852, and acts amendatory thereto; also, supplementary to an act for the support and better regulation of common schools in the town of Akron, passed February 8, 1847, and the acts amendatory thereto; also, supplementary to an act for the better regulation of the public schools in cities, towns, etc., passed February 21, 1849, and the acts amendatory thereto.

To committee on Common Schools and School Lands.

H. B. No. 349—Mr. McCoy of Lawrence—To authorize certain cities of the second class to levy additional taxes.

To committee on Public Works and Public Lands.

S. B. No. 168—Mr. Johnston—Prescribing the duties of county commissioners and township trustees in certain cases therein named.

To committee on Corporations other than Municipal.

H. B. No. 284—Mr. Luccock—To authorize the trustees of the parsonage of the East Plainfield circuit, Methodist Episcopal church, Coshocton county, to sell certain land.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 25, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Lord, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—25.

So the bill was passed. The title was agreed to.

Mr. Steedman submitted the following report:

The standing committee on Federal Relations, to whom was referred sub. for H. B. No. 189—To enable the commissioners of Ross county to purchase toll roads, and convert the same into free roads—

Having had the same under consideration, report it back with the following amendments, and recommend its passage when so amended:

Section 1, strike out the word "county" in line 2, after the word "Ross," and insert "Auglaize, Butler, Fairfield and Warren counties."

Strike out the word "county" and insert "counties," in line 6, sec. 1.

Strike out the word "county" and insert "counties," in line 10, sec. 1.

Strike out the word "county" and insert "counties," in line 12, sec. 1.

Strike out the word "county" and insert "counties," in line 4, sec. 1.

In line 8, sec. 1, after the word "commissioners," insert "of the county in which the people shall vote in favor of purchasing the toll roads."

Strike out the work "county" in line 8, sec. 2, and insert "counties."

JAMES B. STEEDMAN, W. P. HOWLAND,
LINDSEY KELLEY, J. C. FISHER.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time now, and was then read.

Mr. Jackson of Clinton moved to refer the bill to a select committee of one, with instructions to amend as follows:

After the word "Warren, in line 2, sec. 1, insert the word "Clinton."

Which was agreed to, and Mr. Jackson of Clinton was appointed such committee.

Mr. Jackson of Clinton, on leave, submitted the following report:

The select committee of one, to whom was referred sub. for H. B. No. 189, with instructions to amend, reports the same back amended as instructed.

THOS. S. JACKSON.

Mr. Tyler moved to refer the bill to a select committee of one with instructions to amend as follows:

After the word "Clinton," insert the word "Brown."

Which was agreed to, and Mr. Tyler was appointed such committee.

Mr. Tyler, on leave, submitted the following report:

The select committee of one, to whom was referred sub. for H. B. No. 189, with instructions to amend, reports the same back amended as instructed.

GEO. P. TYLER.

On motion of Mr. Grove, the further consideration of said H. B. No. 189, was postponed until Wednesday next.

Mr. Johnston moved that H. B. No. 22 be taken from the table.

Which was agreed to.

Mr. Owens moved to refer the bill to a select committee of one, with instructions to amend as follows:

Add at the end of section 1 "and that all attorneys in the State shall attend to all the legal business of pensioners of the United States free of charge."

On which motion, the yeas and nays were demanded, taken and resulted—yeas 16, nays 8, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Dungan, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Tyler and Williams—16.

Those who voted in the negative were—

Messrs. Forrest, Johnston, Kelley, Richards, Steedman, Stokes, Wagener and Wilson—8.

So the motion to amend was agreed to and Mr. Owens was appointed such committee.

Mr. Owens, on leave, submitted the following report:

The select committee of one, to whom was referred H. B. No. 22, with instructions to amend, reports the same back amended as instructed.

J. W. OWENS.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 19, nays 5, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, McDonald, Parker, Richards, Steedman, Wagener, Williams and Wilson—19.

Those who voted in the negative were—
Messrs. Krimmel, Lord, Owens, Stokes and Tyler—5.
So the bill was passed.

Mr. Owens moved to amend the title by inserting after the words "notaries public," the words "and attorneys-at-law."

Which was agreed to.

The title, as amended, was agreed to.

Mr. Armstrong moved that S. B. No. 68 be taken from the table.

Which was agreed to.

Mr. Armstrong moved that the Senate concur in House amendments to said S. B. No. 68.

On which motion the yeas and nays were taken, and resulted—yeas 19, nays none, as follows:

Those who voted in the affirmative were—
Messrs. Armstrong, Carlisle, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, McDonald, Owens, Parker, Richards, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—19.

Said amendments were agreed to.

Mr. Forrest submitted the following report:

The standing committee on Currency, to whom was referred H. B. No. 363—To authorize the trustees of Windsor township, Morgan county, to levy a tax to pay indebtedness—

Having had the same under consideration, report it back and recommend its passage.

W. T. Forrest, B. W. Carlisle,
Lindsey Kelley, James B. Steedman,
J. C. McDonald.

Said bill was ordered to be engrossed, and read the third time on Tuesday next.

Mr. Forrest submitted the following report:

The standing committee on Currency, to whom was referred H. B. No. 340—Relating to incorporated villages having a population of 1037, and no more, by the Federal census of 1870—

Having had the same under consideration, report it back without recommendation.

W. T. Forrest, B. W. Carlisle,
Lindsey Kelley, James B. Steedman,
J. C. McDonald.

Said bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Tyler submitted the following report:

The standing committee on Benevolent Institutions, to whom was referred H. B. No. 72—To organize the Asylum for the Blind—

Having had the same under consideration, report it back, with following amendments, and recommend its passage when so amended:

In line 1, section 1, strike out "immediately," and insert "within a reasonable time."

In line 3, strike out "three" and insert "five."

In same line, after "persons," insert "two of whom shall be residents of the county in which said institution is located."

In line 4, after "two years," strike out "and," and after "three years" insert "one for four years and one for five years."

In line 6, strike out "three" and insert "five."
Strike out "not more," in line 6, and all of line 7.
Strike out "and is," in line 8, section 4, and all of line 9, as far as the words "the matron."
In line 10, strike out "three," and insert "four."
In line 15, strike out "one thousand," and insert "twelve hundred."
In section 13, lines 4 and 5, strike out "two," and insert "three."

C. F. KRIMMEL, G. A. GROVE,
THEO. MARSH, B. W. CARLISLE,
GEO. P. TYLER.

Said amendments were agreed to, and the bill was ordered to be engrossed, and read the third time on Tuesday next.

Mr. Forrest submitted the following report:

The select committee of thirteen, to whom was referred S. B. No. 126—Supplementary to the act relating to cities of the first class having a population exceeding 150,000 inhabitants, passed May 1, 1869—

Having had the same under consideration, report it back without recommendation.

W. T. FORREST, H. C. LORD,
G. M. SALTZGABER, W. P. HOWLAND,
THOS. M. BEER, IRVINE DUNGAN,
D. WAGENER.

Said bill was ordered to be engrossed, and made the special order for half-past ten o'clock on Tuesday next.

Mr. Forrest submitted the following report:

The select committee of thirteen, to whom was referred S. B. No. 140—Supplementary to the acts passed February 24, 1876, and April 24, 1877, supplementary to the act relating to cities of the first class having a population exceeding 150,000 inhabitants, passed May 4, 1869, (O. L., vol. 66, p. 80)—

Having had the same under consideration, report it back without recommendation.

W. T. FORREST, G. M. SALTZGABER,
W. P. HOWLAND, THOS. M. BEER,
IRVINE DUNGAN, H. C. LORD,
D. WAGENER.

Said bill was ordered to be engrossed, and made the special order for 11 o'clock on Tuesday next.

Mr. Dungan submitted the following report:

The joint committee on Enrollment have examined and found correctly enrolled the following bills:

H. B. No. 314—To authorize the trustees of Olmsted township, Cuyahoga county, Ohio, to join with the council of the incorporated village of Olmsted Falls, in the construction of a town hall for the joint use of said township and said village.

H. B. No. 321—To authorize the council of the ci y of Cleveland to transfer funds.

H. B. No. 292—To authorize the county commissioners of Scioto county, Ohio, to complete the turnpike road leading from Portsmouth past the Catholic cemetery, in said county, and to issue bonds therefor.

H. B. No. 377—To enable certain trustees of the First Regular Baptist Church, of Jackson, Jackson county, Ohio, to convey certain real estate.
H. B. No. 383—For the relief of Milo McCombs.

F. M. Carter, Duncan Dow,
C. R. Harmon, E. S. Perkins,
Wm. Jessup, C. F. Krimmel,
Irvine Dungan, R. G. Richards.

Mr. Dungan submitted the following report:
The joint committee on Enrollment have examined and found correctly enrolled the following bills:
H. B. No. 373—To amend section 7 of an act to provide for the election of township assessors, and to prescribe their duties, passed and took effect April 4, 1859, amended February 24, 1862, as further amended March 13, 1865, (O. L., vol. 62, p. 41; S. & S., p. 19).
H. B. No. 278—To change the time of holding the September term of the court of common pleas, in Franklin county, in the year 1878.
H. B. No. 366—To divide "Little Muskingum precinct," in Marietta township, Washington county, into two election precincts.

F. M. Carter, Duncan Dow,
C. R. Harmon, E. S. Perkins,
Wm. Jessup, C. F. Krimmel,
Irvine Dungan, R. G. Richards.

Mr. Forrest moved that S. B. No. 163 be placed upon the calendar for third reading on Wednesday next.
Which was agreed to.
On motion of Mr. Tyler, the Senate took a recess.

THREE O'CLOCK P. M.

On motion of Mr. Richards, the Senate went into committee of the Whole, for the consideration of S. B. No. 115.
After some time spent therein, arose, reported progress, and asked leave to sit again.
Which was granted.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:
H. B. No. 314—Mr. Poe—To authorize the trustees of Olmsted township, Cuyahoga county, Ohio, to join with the council of the incorporated village of Olmsted Falls, in the construction of a town hall for the joint use of said township and said village.
H. B. No. 292—Mr. Hayman—To authorize the commissioners of Scioto county, Ohio, to complete the turnpike road leading from Portsmouth past the Catholic cemetery, in said county, and to issue bonds therefor.

H. B. No. 366—Mr. Bohl--To divide Little Muskingum precinct, in Marietta township, Washington county, into two election precincts.

Attest: L. A. BRUNNER, *Clerk.*

The President *pro tem.*, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 278—Mr. Booth—To change the time of holding the September term of the court of common pleas in Franklin county, in the year 1878.

H. B. No. 383—Mr. Reed of Trumbull—For the relief of Milo McCombs.

Senate Sub. for H. B. No. 321—Mr. Poe—To authorize the council of the city of Cleveland to transfer funds.

H. B. No. 373—Mr. Carpenter—To amend section 7 of an act to provide for the election of township assessors, and to prescribe their duties, passed and took effect April 4, 1859, amended February 24, 1862, as further amended March 13, 1865, (O. L., vol. 62, p. 41; S. & S., p. 19).

H. B. No. 377—Mr. Monahan—To enable certain trustees of the First Regular Baptist church of Jackson, Jackson county, Ohio, to convey certain real estate.

Attest: L. A. BRUNNER, *Clerk.*

The President *pro tem.*, in presence of the Senate, signed said bills.
On motion of Mr. Howland, the Senate adjourned.

Attest: D. S. FISHER, *Clerk pro tem.*

MONDAY, APRIL 8, 1878—10 o'clock A. M.

The Senate met pursuant to adjournment.
Prayer by Rev. R. W. Manly.
The Journal was read and approved.

MESSAGE FROM THE GOVERNOR.

STATE OF OHIO, EXECUTIVE DEPARTMENT.

COLUMBUS, 8th day of April, 1878.

To the Senate:

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint—

Dr. Alfred Ball, of Muskingum county, Ohio, to be trustee of the Athens Asylum for the Insane, to fill the term of A M. Stimson, of Fay-

ette county, whose appointment is made void by reason of his residence not being within the legally prescribed district.

Very respectfully,

RICHARD M. BISHOP, *Governor.*

Said message was, on motion of Mr. Steedman, referred to the committee on Benevolent Institutions.

On motion of Mr. Forrest, the Senate went into committee of the Whole for the consideration of S. B. No. 115, and after some time spent therein, arose, reported the bill back with the following amendments, recommending their adoption, and without further recommendation :

In division 2, chapter 2, section 10, line 4, after the word "statute," insert the words "for wrongful death, or."

In division 2, chapter 3, section 7, line 1, strike out "guardian or."

In division 2, chapter 3, section 7, strike out all of section after the word "him," in line 2.

In division 2, chapter 6, section 9, line 2, before the word "or," insert 'or petition by the parties sued."

In division 3, chapter 1, section 18, lines 3 and 4, strike out the words "the death of the defendant shall abate," and add at the end of section, after the word "office," the words "which shall abate by the death of either party."

In division 3, chapter 2, section 6, lines 5 and 6, strike out the words "at least thirty days," and insert "between the hours of ten o'clock forenoon and twelve o'clock noon, on the fourth Monday," and in line 9, before the word "proceed," insert "and in presence of any other citizens who may choose to attend."

In division 3, chapter 2, section 7, line 2, strike out "at least thirty days," and insert "between the same hours, at the same place, and in the same presence, on the fourth Monday," and in line 7, before the word "draw," insert "at the same place, and in the same presence."

In division 3, chapter 2, section 11, lines 1, 5 and 8, after the word "court," insert the words "or a judge thereof."

In division 3, chapter 2, section 15, insert after 8th clause, the following: "9. That he is a party to an action pending in said court, and has employed or retained in said action either or any of the attorneys in the cause in which he is called as a juror."

In division 3, chapter 2, section 18, line 2, strike out the word "two," and insert "three."

In division 3, chapter 2, section 21, lines 6 and 7, strike out "the same per diem as a regular juror," and insert in lieu thereof, the following: "one dollar per diem, and if detained more than two days, then he shall receive the same as a regular juror."

In division 3, chapter 2, section 21, strike out all of section after the word "auditor," where the same occurs therein.

In division 3, chapter 2, section 28, strike out all after the words "same and," in line 3, to and including the word "costs," in line 7, and insert "one-half of all the fees of such jury."

In division 3, chapter 2, section 30, line 2, strike out the word "plaintiff," and insert in lieu thereof the words, "the party sustaining the will."

In division 3, chapter 2, section 60, line 6, after the word "office," add "the court may at any time require a master commissioner to give other

or further security, and in default thereof by a day fixed by the court, his office shall be thereby vacated."

In division 5, chapter 1, section 6, line 3, strike out the words "ten days from," and in line 10, after the word "transcript" add "provided, however, that if within ten days after the rendition of said judgment by said justice of the peace or mayor, the judgment debtor shall pay the same or give bail for stay of execution, that fact shall forthwith be certified up to said clerk of the court of common pleas by the justice or mayor rendering such judgment, and a memorandum of such fact shall by such clerk be entered upon the execution docket."

In division 5, chapter 1, section 8, strike out after the word "section," in line 4, the following: "And no sale shall be made or advertised on such execution until the close of the term next after filing the transcript."

In division 5, chapter 1, section 32, line 3, insert after the word "situated," the words "unless otherwise ordered by the court," also strike out, commencing with the word "but," in line 3, to and including the word "title," in line 5.

In division 5, chapter 1, section 42, line 1, after the word "judgment," insert the words "or decree."

In division 6, chapter 2, section 1, at the end of clause 9, after the word "decree," insert the following: "or for causing death by a negligent or wrongful act."

In division 7, chapter 6, section 14, insert at beginning of section, the following: "When the wife files her petition for divorce or alimony, the husband may file a cross-petition for divorce upon either cause mentioned in section 1, of this chapter."

In division 7, chapter 7, section 3, line 1, strike out all after the word "rights" to the words "are shown," in line 2, and insert "of a lessee or lien holder." In last line, same section, strike out "mortgagee or judgment creditor" and insert "lesse or lien holder."

In division 7, chapter 9, section 2, line 2, strike out the words "the court of common pleas of."

In division 7, chapter 15, strike out all of section 7.

In division 7, chapter 16, section 1, line 3, strike out the words "or otherwise."

The bill was ordered to be engrossed, and its further consideration postponed until Thursday next.

On motion of Mr. Krimmel, the Senate took a recess.

THREE O'CLOCK, P. M.

Mr. Dungan submitted the following report:

The joint committee on Enrollment have examined and found correctly enrolled the following bills:

H. B. No. 303—To authorize the city of South Toledo to issue bonds and borrow money for the completion of a certain road therein named.

H. B. No. 206—To authorize boards of education in certain cities to appoint library committees and levy tax for school purposes.

H. B. No. 67—To reduce fees and salaries of county officers.

WM. JESSUP,	F. M. CARTER,
J. W. WASHBURN,	C. R. HARMON,
R. G. RICHARDS,	IRVINE DUNGAN.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 303—Mr. Kellogg—To authorize the city of South Toledo to issue bonds and borrow money for the completion of a certain road therein named.

H. B. No. 67—Mr. Boyce—To reduce fees and salaries of county officers.

H. B. No. 206—Mr. Foster—To authorize boards of education in certain cities to levy a tax for library purposes, and limiting the rate of taxes to be levied for school purposes in certain cities.

Attest: L. A. BRUNNER, *Clerk.*

The President, *pro tem.*, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill and joint resolutions:

H. B. No. 182—Mr. Palmer—To authorize the village of West Cleveland, Ohio, to issue bonds to the amount of $6,000, for the purpose of paying for a culvert built by said corporation, under the Lake Shore & Michigan Southern railroad, at the intersection of Lake avenue.

H. J. R. No. 39—Mr. Bohl—To authorize the officers of the Athens Insane Asylum to receive Mrs. Enoch into said institution.

H. J. R. No. 36—Mr. Sawyer—To appoint a committee to examine and report to the General Assembly as to public works.

H. J. R. No. 40—Mr. Townsend—To authorize the superintendent of the Athens Insane Asylum to admit George Selig into the institution as a patient.

Attest: L. A. BRUNNER, *Clerk.*

The President *pro tem.*, in presence of the Senate, signed said bill and joint resolutions:

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 319—Mr. Greene—Supplementary to the act of May 1, 1873, entitled "An act for the reorganization and maintenance of common schools, and the several acts amendatory thereof, and to amend an act therein named."

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Saltzgaber, on leave, introduced the following bill, which was read the first time:

S. B. No. 169—To authorize the council of the city of Lima to levy a tax for library purposes.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 53—Mr. Lord—To provide for the cleaning of streets in cities of the first class having a population of more than two hundred thousand, and to repeal an act therein named.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill in which the concurrence of the Senate is requested:

H. B. No. 433—Mr. Meuser—To revise and consolidate the laws relating to procedure in probate courts.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 467—Mr. Washburn—To authorize the town council of Waverly, Pike county, to issue bonds and levy a tax.

H. B. No. 468—Mr. Hitchcock—For the relief of B. W. Canfield, treasurer of Charden township, Geauga county, Ohio.

H. B. No. 469—Mr. Herrick—To authorize the trustees and the board of education of Sheffield township, Lorain county, to build a town hall and school house jointly.

H. B. No. 470—Mr. Townsend—To authorize the trustees of Athens township, Athens county, Ohio, to transfer money from the local bounty fund.

H. B. No. 471—Mr. Covert—To authorize the commissioning of detectives.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Saltzgaber submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 273—To amend section 11 of an act entitled "An act relating to jurors," passed March 9, 1876—

Having had the same under consideration, report it back, and recommend its indefinite postponement, for the reason that the subject matter is provided for in the revision of the civil code.

W. T. FORREST, W. P. HOWLAND,
IRVINE DUNGAN, G. M. SALTZGABER.

The report of the committee was agreed to, and the bill was indefinitely postponed.

Mr. Curtiss moved that the vote whereby S. B. No. 126 was made the special order for 10½ o'clock A. M. to-morrow be reconsidered.

Which was agreed to.

The question recurring on making said bill a special order for 10½ o'clock to-morrow—

Mr. Curtiss moved to amend by inserting "3 o'clock P. M."

Which was agreed to.

Mr. Curtiss moved that the vote whereby S. B. No. 140 was made the special order for 11 o'clock A. M. to-morrow be reconsidered.

Which was agreed to.

The question recurring on making said bill a special order for 11 o'clock to-morrow—

Mr. Curtiss moved to amend by inserting "3½ o'clock P. M."

Which was agreed to.

On demand of Mr. Forrest, a call of the Senate was had.

Messrs. Benson, Carlisle, Jackson of Clinton, Johnston, Kelley, Krimmel, Marsh, Sherrick and Stokes were absent.

Leave of absence was asked and obtained for Messrs. Marsh, Johnston, Jackson of Clinton, Benson and Irvine till to-morrow, and for Mr. Stokes till Thursday next.

On motion of Mr. Forrest, further proceedings under the call were dispensed with.

Mr. Carson offered the following joint resolution:

S. J. R. No. 45—Directing the binding of the Secretary of State's Report in muslin.

Be it resolved by the General Assembly of the State of Ohio, That the Supervisor of Public Printing be and he is hereby directed to have all of Secretary of State's Report for 1877 bound in muslin.

The question being on the adoption of said joint resolution, the yeas and nays were taken, and resulted—yeas 19, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Perry, McDonald, Owens, Richards, Steedman, Tyler, Wagener, Williams and Wilson—19.

So said joint resolution was adopted.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has refused to concur in Senate amendments to the following bill—

H. B. No. 22—Mr. Dalzell—To prescribe the duties and fees of justices of the peace, and notaries public, and attorneys at law, in certain cases.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Howland moved that the Senate insist on its amendments to said bill, and request a committee of Conference.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 472—Mr. Wolf—To divide Falls township, Hocking county, into two election precincts.

H. B. No. 473—Mr. Booth—To amend section 3 of an act entitled "An act to provide for the repair of free turnpike roads in certain counties in this State, and to authorize the county commissioners of any county in this State to constitute a board of directors to regulate the hauling of heavy burdens on any free turnpike on incorporated road," passed April 20, 1874, (71, O. L., 120.)

H. B. No. 474—Mr. Haley—To authorize the commissioners of Hardin county to increase the levy for county purposes, and to transfer certain funds therein named.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 475—Mr. Bohl—To amend the act of April 27, 1872, entitled "An act to regulate insurance companies doing an insurance business in the State of Ohio, (69, v. 140.)

H. B. No. 476—Mr. Parker—To authorize the township clerk of Pike township, Brown county, Ohio, to issue an order in favor of G. E. Vadgitt for services as school teacher.

H. B. No. 477—Mr. Hume—To authorize the sale of certain lands therein named.

H. B. No. 478—Mr. Estill—To amend an act entitled "'An act to secure the collection of delinquent taxes, passed March 31, 1877.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 479—Mr. Poe—To amend sections 13 and 14 of chapter 8 of an act entitled "An act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named to be known as title 1, crimes and offenses, part 4, of the act to revise and consolidate the general statutes of Ohio," passed May 5, 1877, (O. L., v. 74, p. 268.)

H. B. No. 480—Mr. Poe—To amend section one of an act entitled "An act for the relief of benevolent and charitable associations managed by women," passed March 30, 1864.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to the following joint resolution:

H. J. R. No. 34—Mr. Douglass—Providing for the printing of the report of the fish commissioners.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Dungan submitted the following report:

The standing committee on Corporations other than Municipal, to whom was referred S. B. No. 47—To authorize and empower the auditor of Licking county to refund certain taxes improperly collected—

Having had the same under consideration, report it back and recommend its passage.

IRVINE DUNGAN, J. SHERRICK,
R. G. RICHARDS, GEO. P. TYLER.

Said bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Tyler presented the petition of John M. Corns and 154 other citizens of the city of Ironton, to authorize certain cities of the second class to levy additional taxes.

Which was referred to the committee on Public Works.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bill has been introduced in the House of Representatives and read the first time:

H. B. No. 481—Mr. Townsend—To provide for the recording in book form of the military record of all persons who have served in the army of the United States, in the war of the rebellion, which begun in April, A. D. 1861, and who were accredited to the State of Ohio as soldiers, and supplementary to an act entitled "An act appropriating money to pay for transcribing certain muster rolls of Ohio volunteers into permanent record, and for obtaining information in regard to Union soldiers' graves and providing for a suitable head stone," passed May 1, 1877.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Dungan moved that H. B. No. 6, and substitute therefor, be taken from the table.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 15, nays 9, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carson, Dungan, Fisher, Forrest, Grove, Joy, Krimmel, McDonald, Parker, Saltzgaber, Tyler, Wagener and Williams—15.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Howland, Owens, Richards, Sabine, Steedman and Wilson—9.

So the motion was agreed to.

Mr. Dungan moved that said H. B. No. 6, and substitute, be referred to the committee on Salaries and Fees of Public Officers.

Which was agreed to.

Mr. Carson, on leave, submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 378—For the relief of John Martin—

Having had the same under consideration, report it back and recommend its passage.

J. M. Carson, Thos. M. Beer,
H. W. Curtiss, H. C. Lord,
Irvine Dungan.

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 20, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Howland, Joy, Kelley, Krimmel, McDonald, Richards, Saltzgaber, Steedman, Tyler, Williams and Wilson—20.

Mr. Owens voted in the negative—1.

So the bill passed. The title was agreed to.

Mr. Carson offered the following joint resolution:

S. J. R. No. 46—Relative to the adjournment of the Sixty-third General Assembly—

Be it resolved by the General Assembly of the State of Ohio, That this General Assembly adjourn on Monday, the 29th day of April, 1878, at 10 o'clock A. M., to convene on Monday, December 2, 1878, at 2 o'clock P. M.

Mr. Steedman gave notice of his intention to discuss said joint resolution, so it went over, under the rule.

On motion of Mr. Krimmel, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

Tuesday, April 9, 1878—10 o'clock A. M.

The Senate met pursuant to adjournment.

The Journal was read and approved.

Mr. Owens presented the remonstrance of Wm. K. Hill and 87 other citizens of Licking county, against any legislation authorizing a levy of tax to keep up the National road.

Which was referred to committee on Roads and Highways.

Mr. Owens presented the remonstrance of D. Allbaugh and 122 other citizens of Licking county, against the passage of any law authorizing the levy of a tax to keep up the National road.

Which was referred to committee on Roads and Highways.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the adoption of the

report of the committee of Conference on substitute for the following bill:

Sub. for H. B. No. 140-- Mr. Maury—To amend section thirty-five of chapter eight of an act entitled, "An act to amend, revise and consolidate the statutes relating to crimes and offenses, and repeal certain acts therein named;" to be known as title one, crimes and offenses, part four of the act to revise and consolidate the general statutes of Ohio, (O. L., vol. 74, page 273).

Attest: L. A. BRUNNER, *Clerk.*

Mr. Krimmel submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled the following bills:

H. B. No. 169—For the relief of the sureties of Charles E. Spencer, treasurer of Hamilton township, Warren county, Ohio.

H. B. No. 282—To compel owners of hedge fences on partition lines and along public highways, to keep the same within certain limits.

H. B. No. 97—To amend an act entitled "An act supplementary to an act to provide for the better regulation of turnpike and plank road companies, &c., &c.

H. B. No. 39—For the relief of the sureties of Jas. A. Tipton, treasurer of Walnut township, Gallia county, Ohio.

H. B. No. 283—For the relief of Christian Kingsend.

J. W. WASHBURN, WM. JESSUP,
C. R. HARMON, F. M. CARTER,
E. S. PERKINS, R. G. RICHARDS,
J. R. JOHNSTON, C. F. KRIMMEL.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

S. B. No. 68—Mr. Armstrong—Relative to indexing pending suits and executions not dormant.

S. B. No. 112—Mr. Johnston—To authorize the commissioners of Mahoning county, to transfer funds therein named.

S. B. No. 145—Mr. Richards—To divide the township of Perry, county of Columbiana, and to repeal a certain act therein named.

S. B. No. 151—Mr. Carson—To reinstate a sub-school district in Jackson township, Shelby county.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

Bills were read the second time and referred as follows:

H. B. No. 319—Mr. Greene—Supplementary to the act of May 1, 1873, entitled "An act for the reorganization and maintenance of common schools," and the several acts amendatory thereof, (Ohio Laws, vol. 70, page 195).

To committee on Common Schools and School Lands.

H. B. No. 433—Mr. Meuser—To revise and consolidate the laws relating to procedure in probate courts.

To committee of the Whole.

S. B. No. 169--Mr. Saltzgaber—To authorize the council of the city of Lima, to levy a tax for library purposes.

To the committee on Library.

Mr. Steedman moved that S. B. No. 135, which had been omitted from to-day's calendar, be placed upon the calendar for third reading to-morrow.

Which was agreed to.

H. B. No. 265—Mr. Williams—To divide Alliance precinct, in the township of Lexington and county of Stark, into two election precincts.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 29, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, McDonald, Owens, Parker, Sabine, Sherrick, Steedman, Tyler, Wagener, Williams and Wilson —29.

Messrs. Richards and Seitz voted in the negative—2.

So the bill was passed. The title was agreed to.

S. B. No. 149—Mr. Armstrong—To authorize the board of trustees of the Cincinnati Hospital to establish a branch hospital for the accommodation of persons afflicted with contagious diseases.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 30, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, McDonald, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Steedman, Tyler, Wagener, Williams and Wilson—30.

So the bill was passed. The title was agreed to.

H. B. No. 363—Mr. Morrey—To authorize the trustees of Windsor township, Morgan county, to levy a tax to pay indebtedness.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 30, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, McDonald, Owens, Parker, Richards, Sabine, Seitz, Steedman, Tyler, Wagener, Williams and Wilson—30.

So the bill was passed. The title was agreed to.

H. B. No. 72—Mr. Washburn—To reorganize the asylum for the blind.

Was read the third time.

Mr. Owens moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out in section 1 the words, "two of whom shall be residents of the county in which said institution is located."

Which was agreed to, and Mr. Owens was appointed such committee.

Mr. Owens, on leave, submitted the following report:

The select committee of one, to whom was referred H. B. No. 72, with instructions to amend, reports the same back amended as instructed.

JAMES W. OWENS.

Mr. Forrest moved that said bill be laid upon the table.

Which was agreed to.

Mr. Krimmel submitted the following report:

The standing committee on Benevolent Institutions, to whom was referred the appointment of Dr. Alfred Ball, of Muskingum county, as trustee of the Athens Asylum for insane—

Having had the same under consideration, report it back and recommend his confirmation.

C. F. KRIMMEL, G. A. GROVE,
B. W. CARLISLE, THEO. MARSH,
H. W. CURTISS, D. D. BEEBE.

The Senate proceeded to advise and consent to said appointment of Dr. Alfred Ball.

On which the yeas and nays were taken, and resulted—yeas 32, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Steedman, Tyler, Wagener, Williams and Wilson—32.

So the Senate advised and consented to said appointment.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 357—Mr. Foster—To amend an act entitled "An act to provide for the investment of funds detained in the hands of executors, agents, attorneys or officers, by reason of pending litigation."

H. B. No. 178—Mr. Dalzell—To provide for the appointment of a commission to inquire into and report upon sinecures and salaries.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

Mr. Beer submitted the following report:

The standing committee on Railroads, Telegraphs and Turnpikes, to whom was referred S. J. R. No. 39—

Having had the same under consideration, report it back without recommendation.

GEO. P. TYLER, J. M. CARSON,
H. C. LORD, D. JOY,
J. C. FISHER, H. SABINE,
THOS. M. BEER.

Mr. Johnston moved that the report of the committee and joint resolution be laid upon the table.

Which was disagreed to.

The question recurring on the adoption of the joint resolution--

Mr. Forrest demanded the previous question.

The demand was seconded by Messrs. Armstrong, Steedman and Saltzgaber.

The question being "Shall the main question now be put?" the yeas and nays were taken and resulted—yeas 16, nays 17, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Carson, Curtiss, Dungan, Fisher, Forrest, Irvine, Jackson of Clinton, Jackson of Perry, Joy, McDonald, Parker, Saltzgaber, Sherrick, Steedman and Williams—16.

Those who voted in the negative were—

Messrs. Beebe, Beer, Benson, Carlisle, Grove, Howland, Johnston, Kelley, Krimmel, Lord, Marsh, Owens, Richards, Sabine, Seitz, Tyler and Wilson—17.

So the demand for the previous question was not sustained.

Mr. Marsh offered the following substitute for said Joint Resolution No. 39:

Be it resolved by the General Assembly of the State of Ohio, That authority is hereby granted to the judges of the superior court of the city of Cincinnati, the common council and the mayor of said city, and they are hereby empowered to appoint a commission of five citizens of the city of Cincinnati—who shall be electors and taxpayers in said city—to examine the books and papers of the Cincinnati Southern railway, and to send for persons and papers, to administer oaths and, if necessary, to employ experts and clerical force to the end that a thorough examination may be had of the acts of the trustees of said Cincinnati Southern railway in their management of said trust.

Resolved, That said commission shall be appointed in manner as follows: Two by said court, two by said council, and one by the mayor of said city; they shall sit in the city of Cincinnati with open doors, keep a journal of their proceedings, and report their final conclusion to the mayor of said city.

Resolved, That all expenses of said commission in such examination and investigation shall be paid by the city of Cincinnati, on the sworn voucher of the members of the commission, and a warrant from the city auditor on the city treasurer.

Mr. Forrest moved to amend said proposed substitute as follows:

Strike out all after the words "*Be it resolved by the General Assembly of the State of Ohio*," and insert "That the trustees of the sinking fund and the board of public works of the city of Cincinnati, be and they are hereby directed to appoint a commission of three citizens of said city—who shall be taxpayers and electors of said city—to investigate into the condition of the affairs of the trustees of the Cincinnati Southern railway, to exam ne into the management of their trust, the disbursement of the moneys intrusted to their care; that said commission, when appointed, shall be empowered to examine all books and papers belonging to said Cincinnati Southern railway, to summons and examine witnesses under oath, to require the production of any other books and papers; they shall hold open sessions, and saidcommission shall have power to employ competent clerks to assist them in their investigation; that the said trustees of the sinking fund and the board of public works, shall, within twenty days, from the passage of this resolution appoint said commis-

sion, and all the expenses attendant upon the examination hereinbefore provided, shall be paid out of the city treasury of Cincinnati.

On motion of Mr. Richards, the Senate took a recess.

THREE O'CLOCK P. M.

When the Senate took a recess, it had under consideration S. J. R. No. 39, the pending question being on Mr. Forrest's motion to amend the substitute offered by Mr. Marsh.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 30, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Tyler, Wagener and Wilson—30.

So the motion was agreed to.

The question recurring on the substitute for said joint resolution as amended—

The yeas and nays were demanded, taken, and resulted—yeas 29, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Tyler, Wagener and Wilson—29.

So said substitute was adopted.

The question recurring on the adoption of said joint resolution No. 39, as amended—

The yeas and nays were taken and resulted—yeas 29, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Wagener and Wilson—29.

Mr. Grove voted in the negative—1.

So said joint resolution, as amended, was agreed to.

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 9th day of April, 1878.

To the Senate:

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint John C. Fisher, of Coshocton county, Len A. Harris, of Hamilton county and Robert Cummings, of Lucas county, to

be commissioners of fisheries for the term of three years from the 1st ady of April, 1878.

Very respectfully,

RICHARD M. BISHOP, *Governor.*

The Senate, on motion of Mr. Curtiss, proceeded to advise and consent to the said appointment of John C. Fisher.

On which motion the yeas and nays were taken and resulted—yeas 30, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Tyler, Wagener and Wilson—30.

So the Senate advised and consented to said appointment.

The Senate, on motion of Mr. Marsh, proceeded to advise and consent to the appointment of Len A. Harris.

On which motion the yeas and nays were taken, and resulted—yeas 30, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Tyler, Wagener and Wilson—30.

So the Senate advised and consented to said appointment.

The Senate, on motion of Mr. Steedman, proceeded to advise and consent to the appointment of Robert Cummings.

On which motion, the yeas and nays were taken, and resulted—yeas 31, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Tyler, Wagener and Wilson—31.

So the Senate advised and consented to said appointment.

MESSAGE FROM THE GOVERNOR.

STATE OF OHIO, EXECUTIVE DEPARTMENT.

COLUMBUS, 9TH DAY OF APRIL, 1878.

To the Senate:

I have the honor to nominate, and by and with the consent of the Senate, appoint L. G. Gould, of Preble county, to be trustee of the Dayton Asylum for the Insane, for the unexpired term of Durbin Ward resigned.

Very respectfully, RICHARD M. BISHOP, *Governor.*

The Senate, on motion of Mr. Grove, proceeded to advise and consent to said appointment of L. G. Gould.

On which motion the yeas and nays were taken and resulted—yeas 31, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Tyler, Wagener and Wilson—31.

So the Senate advised and consented to said appointment.

Mr. Dungan submitted the following report:

The standing committee on Mines and Mining, to whom was referred the appointment of James D. Poston, of Hocking county, to be Mine Inspector—

Having had the same under consideration, report it back, and recommend the confirmation of said appointment.

LYMAN J. JACKSON, IRVINE DUNGAN,
W. H. STOKES, C. F. KRIMMEL.

The Senate proceeded to advise and consent to the appointment of James D. Poston.

On which the yeas and nays were taken, and resulted—yeas 17, nays 13, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Fisher, Grove, Irvine, Jackson of Perry, Joy, Krimmel, Marsh, Steedman, Tyler, Wagener, and Williams—17.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley, Richards, Sabine, Saltzgaber, Seitz, Sherrick and Wilson—13.

So the Senate refused to advise and consent to said appointment.

On demand of Mr. Benson, a call of the Senate was had.

Messrs. Dungan, Forrest, Lord, Owens and Steedman were absent.

Mr. Carson moved that the Sergeant-at-Arms be dispatched for absentees.

Which was agreed to.

Messrs. Forrest, Owens and Steedman having appeared within the bar of the Senate, and answered to their names—

Mr. Benson moved that further proceedings under the call be dispensed with.

Which was disagreed to.

Leave of absence was asked and obtained for Mr. Lord for to-day on account of sickness.

Mr. Joy moved that further proceedings under the call be dispensed with.

Which was agreed to.

Mr. Seitz moved that the vote whereby the Senate refused to advise and consent to the appointment of James D. Poston, be reconsidered.

Mr. Wilson raised the point of order that Mr. Seitz, not having voted with the majority on said question, could not make a motion to reconsider.

Mr. Wilson moved that the consideration of said point of order be postponed until to-morrow at ten o'clock a. m.

Which was disagreed to.

The President ruled that the Senator from Seneca county, Mr. Seitz, was in order in moving a reconsideration of the vote by which the confirmation of Mr. Poston was lost, the Senator having voted against the

confirmation and with the minority, but with the prevailing side. The President held that the motion of Mr. Seitz was in order because the confirmation was lost for lack of a constitutional majority, and that the rule that a person voting with the majority can alone move a reconsideration is intended to hold good where the majority is successful; the intent of the parliamentary rule evidently being that a person voting with the successful side may move a reconsideration.

Mr. Wilson appealed from said decision of the President.

The question being "Shall the decision of the President stand as the opinion of the Senate?"

Mr. Irvine moved that the Senate take a recess until to-morrow morning at 10 o'clock.

Mr. Sherrick moved to amend by inserting 7½ o'clock this evening.

Which was disagreed to.

The question recurring on the motion to take a recess until to-morrow morning at 10 o'clock, the yeas and nays were demanded, taken, and resulted—yeas 15, nays 17, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Curtiss, Forrest, Howland, Irvine, Jackson of Clinton, Kelley, Owens, Sabine, Saltzgaber, Wagener, Williams and Wilson—15.

Those who voted in the negative were—

Messrs. Benson, Carlisle, Carson, Dungan, Fisher, Grove, Jackson of Perry, Johnston, Krimmel, Marsh, McDonald, Parker, Richards, Seitz, Sherrick, Steedman and Tyler—17.

So the motion was disagreed to.

Mr. Johnston submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled the following bill:

H. B. No. 44—To provide for the reorganization, government and better regulation of Longview Asylum, and to repeal certain acts therein named.

C. R. Harmon, F. M. Carter,
J. W. Washburn, C. F. Krimmel,
R. G. Richards, J. R. Johnston.

The question recurring "Shall the decision of the President stand as the opinion of the Senate?" the yeas and nays were taken, and resulted—yeas 23, nays 8, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, McDonald, Owens, Parker, Seitz, Sherrick, Tyler, Wagener and Williams—23.

Those who voted in the negative were—

Messrs. Howland, Jackson of Clinton, Marsh, Richards, Sabine, Saltzgaber, Steedman and Wilson—8.

So the decision of the President was sustained.

The question then being on Mr. Seitz's motion to reconsider, the yeas and nays were taken, and resulted—yeas 19, nays 11, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Grove, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Parker, Saltzgaber, Seitz, Steedman, Tyler and Williams—19.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley, Richards, Sabine, Sherrick and Wilson—11.

So the motion was agreed to.

The question recurring on the motion to advise and consent to the appointment of James D. Poston—

The yeas and nays were taken and resulted—yeas 19, nays 11, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Grove, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Parker, Saltzgaber, Seitz, Steedman, Tyler and Williams—19.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley, Richards, Sabine, Sherrick and Wilson—11.

So the Senate advised and consented to said appointment.

Mr. Saltzgaber submitted the following report:

The committee on Revision has examined, and found correctly engrossed, sub. for S. J. R. No. 39.

G. M. Saltzgaber,
J. C. Fisher.

Mr. Johnston moved that the special order, S. B. No. 126 and S. B. No. 140, be discharged, and that said bills be placed on the calendar for third reading, and made the special order for 10 o'clock and 10½ o'clock A. M. to-morrow.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the adoption of the following joint resolution:

S. J. R. No. 45—Mr. Carson—Directing the binding of Secretary of State's report in muslin.

Attest: L. A. Brunner, *Clerk.*

Mr. Dungan submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled the following bills and joint resolution:

H. B. No. 284—To authorize the trustees of the parsonage of the East Plainfield circuit, Methodist Episcopal church, Coshocton county, to sell certain lands.

H. J. R. No. 34—Providing for the printing of the report of the fish commissioners.

S. B. No. 53—To provide for the cleaning and control of streets in cities of the first class having a population of more than two hundred thousand, and to repeal an act therein named, (O. L., v. 74, p. 105.)

S. B. No. 68—Relative to indexing pending suits, and executions not dormant.

S. B. No. 112—To authorize the commissioners of Mahoning county to transfer funds therein named.

S. B. No. 145—To divide the township of Perry, county of Columbiana,

into two election precincts, and to repeal a certain act therein named.

S. B. No. 151—To reinstate a sub-school district in Jackson township, Shelby county.

IRVINE DUNGAN, C. R. HARMON,
WM. JESSUP, J. W. WASHBURN,
C. F. KRIMMEL, R. G. RICHARDS,
J. R. JOHNSTON, F. M. CARTER.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills and joint resolution:

H. B. No. 284—Mr. Luccock—To authorize the trustees of the parsonage of the East Plainfield circuit, Methodist Episcopal church, Coshocton county, to sell certain lands.

S. B. No. 53—Mr. Lord—To provide for the cleaning of streets in cities of the first class having a population of more than 200,000, and to repeal an act therein named.

H. J. R. No. 34—Mr. Douglass—Providing for the printing of the report of the fish commissioners.

Attest: L. A. BRUNNER, *Clerk.*

The President in presence of the Senate, signed said bills and joint resolution.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 282—Mr. Stubbs—To compel owners of hedge fences on partition lines and along public highways to keep the same within certain limits.

H. B. No. 283—Mr. Hume—For the relief of Christian Kingseed.

H. B. No. 97—Mr. Foster—To amend an act entitled "An act supplementary to 'An act to provide for the better regulation of turnpike and plank-road companies, and to repeal section 41 of an act to provide for the regulation of incorporated companies, passed May 1, 1852, and repealed March 30, 1864, and re-enacted April 5, 1866,' passed March 11, 1867," passed April 3, 1868.

H. B. No. 169—Mr. Wales—For the relief of the sureties of Charles E. Spence, treasurer of Hamilton township, Warren county, Ohio.

H. B. No. 39—Mr. Wasson—For the relief of the sureties of Jas. A. Tipton, treasurer of Walnut township, Gallia county, Ohio.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

H. B. No. 44—Mr. Sextro—To provide for the reorganization, government and better regulation of Longview asylum, and to repeal certain acts therein named.

Attest: L. A. BRUNNER, *Clerk.*

The President of the Senate directed—

H. B. No. 44—Mr. Sextro—To provide for the reorganization, government and better regulation of Longview asylum, and to repeal certain acts therein named—

To be returned to the Secretary of State's office, correctly enrolled.

The President appointed Messrs. Krimmel, Lord and Howland as a committee on part of the Senate, in pursuance of S. J. R. No. 38.

The President also appointed Messrs. Curtiss, Krimmel and Owens as a committee of Conference on part of the Senate, on H. B. No. 22.

On motion of Mr. Seitz the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

WEDNESDAY, APRIL 10, 1878—10 O'CLOCK A. M.

The Senate met pursuant to adjournment.

Prayer by Rev. A. G. Byers.

The Journal was read and approved.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has refused to concur in the passage of the following bill:

S. B. No. 29—Mr. Owens—To more effectually prevent fraud in the canvassing of votes and making election returns.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives accedes to the request of the Senate, and has appointed Messrs. Dalzell, Booth and Meuser as a committee of Conference, on the part of the House, to consider the differences existing between the two Houses on—

H. B. No. 22—Mr. Dalzell—To prescribe the duties and fees of justices of the peace and notaries public, and attorneys at law, in certain cases.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 400—Mr. Wright—To authorize a temporary loan for street cleaning purposes, in certain cities of the first class.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Marsh moved that the constitutional rule requiring bills to be read on three different days be suspended that H. B. No. 400 may be read the second time.

On which motion the yeas and nays were taken, and resulted—yeas 22, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carlisle, Curtiss, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Lord, Marsh, McDonald, Richards, Sabine, Sherrick, Tyler, Wagener and Wilson—22.

So the motion, not having received a constitutional majority, was disagreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 302—Mr. Booth—To create a special school district in Jackson township, Franklin county, Ohio.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Lord moved that the Senate proceed to the special order of the hour—

S. B. No. 126—Mr. Lord—Supplementary to the act relating to cities of the first class, having a population exceeding 150,000 inhabitants, passed May 4, 1869.

Which was agreed to, and said bill was read the third time.

Mr. Lord moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 17, section 1, strike out the words, "and three-tenths."

Also, after the word "money," in line 21, section 1, add the following:

"Provided further, that it shall be unlawful for said trustees to use the whole or any part of said bonds, or the proceeds thereof upon any part of said railway which may have been in use for the passage of freight and passenger trains before the passage of this act, except for the purpose of completing the ballasting of the same, or in providing such terminal facilities, yard-room, temporary work-shops, depots or depot grounds therefor as the current local business of the road and the necessary repairs of its track superstructure and equipment may, in the judgment of said trustees, absolutely require, until after provision shall have been fully made by said trustees for the complete construction of that part of said railway which may remain uncompleted at the date of the passage of this act, to the terminus of said railway, or to a junction with any other railroad of similar gauge in the vicinity of said terminus and extending thereto, so as to admit of the passage of trains of passenger and freight cars from one terminus to the other terminus of said railway, and until the fund shall have been set aside and appropriated for that pur-

pose, so as not to be devoted to any other object whatever; provided further, that whenever and as soon as said railway shall have been so far completed as that passenger and freight cars may pass over its line from one terminus to the other terminus thereof, or to any other railroad of similar gauge in the vicinity of said terminus and extending thereto, and over said railroad to said terminus, all net earnings and incomes therefrom shall be paid into the treasury of said city to the credit of the interest fund."

Also, after the word "way," in line four, of section two, insert the words, "after the completion of said road from Cincinnati to its southern terminus."

Also, insert "6,000" in the blank in line ten, section two.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 19, nays 11, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Carlisle, Curtiss, Fisher, Grove, Howland, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, Marsh, Parker, Richards, Sabine, Steedman, Tyler and Wilson—19.

Those who voted in the negative were—

Messrs. Armstrong, Forrest, Irvine, Joy, McDonald, Owens, Saltzgaber, Seitz, Sherrick, Wagener and Williams—11.

So the motion was agreed to, and Mr. Lord was appointed such committee.

Mr. Lord, on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No. 126, with instructions to amend, reports the same back amended as instructed.

H. C. Lord.

Mr. Howland moved to refer the bill to a select committee of one, with instructions to amend as follows:

Insert at the end of section one, "provided further that no bonds shall be issued or sold until after the question of their issue shall have been submitted to a vote of the electors of said city, after not less than twenty days' notice of the time of taking said vote, which time shall be fixed by the mayor of said city, and proclamation thereof shall be made by him of the time of holding such election, within ten days from the passage of this act, and said vote shall be taken at the usual places of holding elections in each ward in said city, and each ballot shall have written or printed thereon the words: For issue of $2,000,000 bonds, yes; or, against issue of $2,000,000 bonds, no; and no bonds shall be issued unless a majority of all the votes cast shall have written or printed thereon: For the issue of $2,000,000 bonds, yes."

On which motion, the yeas and nays were taken and resulted—yeas 23, nays 7, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Fisher, Forrest, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, McDonald, Richards, Saltzgaber, Seitz, Sherrick, Steedman, Wagener, Williams and Wilson—23.

Those who voted in the negative were—

Messrs. Grove, Lord, Marsh, Owens, Parker, Sabine and Tyler—7.

So the motion was agreed to, and Mr. Howland was appointed such committee.

Mr. Howland, on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No. 126, with instructions to amend, reports the same back amended as instructed.

W. P. HOWLAND.

Mr. Richards moved to refer the bill to a select committee of one, with instruction to amend as follows:

At the end of section two, add the following:

SEC. 3. That before the execution of any lease or license to use any part or all of any such railway, by any trustees appointed under the said act, in any city of the first class, wherein there may be any board of trustees of the sinking fund of any such city, and before the award of any such lease or license to any lessee or licensee, or the delivery of possession under such lease or license to said lessee or licensee, said award and delivery of possession shall be submitted to and receive the approval of the trustees of the sinking fund aforesaid.

Which was agreed to, and Mr. Richards was appointed such committee.

Mr. Richards, on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No. 126, with instructions to amend, reports the same back amended as instructed.

R. G. RICHARDS.

Mr. Forrest moved to refer the bill to a select committee of one, with instructions to amend as follows:

Add the following sections:

"SEC. 5. That section 9 of the act entitled 'An act relating to cities of the first class having a population exceeding 150,000 inhabitants,' passed May 4, 1869, (v. 66, p. 80,) be and the same is hereby repealed.

"SEC. 6. The said trustees shall have the power, as fast as portions of the line for which they are trustees are completed, with the approval of the board of sinking fund commissioners, to rent or lease the right to use and operate such portions upon such terms as they may deem best; but such rights shall cease and determine on the final completion of the whole line."

Which was agreed to, and Mr. Forrest was appointed such committee.

Mr. Forrest, on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No. 126, with instructions to amend, reports the same back amended as instructed.

W. T. FORREST.

Mr. Johnston moved to refer the bill to a select committee of one with instructions to amend as follows:

Add at end of section 2:

"And provided further, that all contracts made by the trustees contrary to the provisions of this act shall be void, so far as the funds in the hands of said trustees are concerned, but shall be binding upon the trustees making the same personally."

Which was agreed to, and Mr. Johnston was appointed such committee.

Mr. Johnston, on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No. 126, with instructions to amend, reports the same back amended as instructed.

J. R. JOHNSTON.

Mr. Forrest moved to refer the bill to a select committee of one with instructions to amend as follows:

Strike out sections 1 and 2 of said bill, and insert the following:

"SECTION 1. *Be it enacted by the General Assembly of the State of Ohio.* That it shall be lawful for the board of trustees appointed under the acts to which this is supplementary, and they are hereby authorized to borrow, as a fund, for the completion of the line of railway for which they are trustees, a sum in addition to the amounts authorized by said acts, not to exceed two millions of dollars, and to issue bonds therefor in the name and under the corporate seal of the city owning the line of railway. Said bonds shall be signed and attested in the same manner as the bonds authorized by the acts to which this is supplementary, and shall be secured by the pledge of the faith of the city, and a tax, which shall be annually levied by the council of said city, on the real and personal property therein returned on the grand levy, sufficient to pay the interest thereon and provide a sinking fund for their final redemption, and they may be made payable, both as to principal and interest, in coin or lawful money, at such times and places and in such sums as shall be deemed best by said board of trustees; provided, that none of the bonds authorized by this act shall be sold for less than par in lawful money, or bear a greater rate of interest than seven per cent. per annum; provided further, that it shall be unlawful for said trustees to use the whole or any part of said bonds, or the proceeds thereof, upon any part of said railway which may have been in use for the passage of freight and passenger trains before the passage of this act, or in providing terminal facilities, yards, workshops, depots or depot grounds therefor, until after provision shall have been fully made by said trustees for the complete construction of that part of said railway which may remain uncompleted at the date of the passage of this act, to the terminus of said railway, or to a junction with any other railroad of similar gauge in the vicinity of said terminus, and extending thereto, so as to admit of the passage of trains of passenger and freight cars from one terminus to the other terminus of said railway, and until the fund shall have been set aside and appropriated for that purpose, so as not to be diverted to any other object whatever, and any contracts made by said trustees in violation of the provisions of this section shall be void, so far as the funds in their hands as such trustees shall be concerned, but shall be binding upon the trustees making the same, personally; provided further, that whenever, and as soon as said railway shall have been so far completed as that passenger and freight cars may pass over its line from one terminus to the other terminus thereof, or to any other railroad of similar gauge in the vicinity of said terminus and extending thereto, and over said railroad to said terminus, all net earnings and incomes therefrom shall be paid into the treasury of said city to the credit of the interest fund.

"SEC. 2. That before the execution of any lease, other disposition, or license to use any part or all of any such railway, by any trustees appointed under the said act, in any city of the first class, wherein there may be any board of trustees of the sinking fund of any such city, and before the award of any such lease, other disposition, or license to any lessee or licensee, or the delivery of possession under such lease or license to said lessee or licensee, said award and delivery of possession shall be submitted to and receive the approval of the trustees of the sinking fund aforesaid.

"SEC. 3. The court by whom said trustees may be appointed, may, from time to time, allow compensation at a rate not to exceed $5,000 per annum to said trustees. No other compensation shall be paid to said trustees for services performed as such trustee, except for actual expenses attending the performance of the duties of their trust.

"SEC. 4. Nothing in this act contained shall require any purchaser or holder, for value of any of said bonds authorized by this act, to look to the application of the proceeds thereof to the construction of said lines of railway according to the requirements of this act."

Mr. Johnston submitted the following report:

The joint committee on Enrollment have examined and found correctly enrolled the following bills:

Substitute for H. B. No. 140—To amend section 35 of chapter 8 of an act entitled "An act to amend, revise," etc., etc.

H. B. No. 378—For the relief of John Martin.

H. B. No. 365—To divide Alliance precinct, in the township of Lexington, and county of Stark, into two election precincts.

H. B. No. 363—To authorize the trustees of Windsor township, Morgan county, to levy a tax to pay indebtedness.

J. W. WASHBURN, F. M. CARTER,
WM. JESSUP, E. S. PERKINS,
C. R. HARMON, R. G. RICHARDS,
J. R. JOHNSTON.

On motion of Mr. Johnston, the Senate took a recess.

THREE O'CLOCK P. M.

When the Senate took a recess, it had under consideration S. B. No. 126, the pending question being on Mr. Forrest's motion to refer to a select committee with instructions to amend.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 13, nays 15, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Carson, Curtiss, Fisher, Forrest, Irvine, Jackson of Perry, Joy, Owens, Saltzgaber, Seitz, Sherrick and Wagener—13.

Those who voted in the negative were—

Messrs. Beebe, Beer, Carlisle, Grove, Howland, Jackson of Clinton, Johnston, Kelley, Lord, Marsh, Richards, Sabine, Tyler, Williams and Wilson—15.

So the motion was disagreed to.

Mr. Richards moved to refer the bill to a select committee of one, with instructions to amend as follows:

Add after section 3 the following:

"Section 4. That the said trustees shall not use or occupy any street, alley, or other public way, space or ground, or any part thereof belonging to such city, unless they make application in writing, and receive the consent thereto of the board of public works of said city; provided, that they shall have the right to use the streets and public ground now occupied by said railway."

Which was agreed to, and Mr. Richards was appointed such committee.

Mr. Richards, on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No. 126, with instructions to amend, reports the same back amended as instructed.

R. G. RICHARDS.

On demand of Mr. Tyler, a call of the Senate was had.

Messrs. Benson, Dungan, Krimmel and McDonald were absent.

Leave of absence was asked and obtained for Messrs. Benson and McDonald, for to-day.

Mr. Tyler moved that the Sergeant-at-Arms be dispatched for absentees.

Which was agreed to.

Mr. Dungan appeared within the bar of the Senate and answered to his name.

On motion of Mr. Marsh, further proceedings under the call were dispensed with.

Mr. Wilson moved to refer the bill to a select committee of one, with instructions to amend as follows:

In section 1, line 16, of the amendment offered by Mr. Lord, between the words "require" and "until," insert the following, "at a cost not to exceed $50,000."

Which was agreed to, and Mr. Wilson was appointed such committee.

Mr. Wilson, on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No. 126, with instructions to amend, reports the same back amended as instructed.

G. W. WILSON.

Mr. Forrest moved to refer the bill to a select committee of one, with instructions to amend as follows:

Add at the end of section 2, "provided, that all sessions of the trustees of the Cincinnati Southern railway shall be open, and said trustees shall receive no compensation for their services beyond the sum of $1,000 each per annum."

Mr. Curtiss demanded a division of the proposition.

The question being on agreeing to the first clause of said proposition—

The yeas and nays were demanded, taken, and resulted—yeas 14, nays 17, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Carson, Dungan, Fisher, Forrest, Irvine, Jackson of Clinton, Johnston, Joy, Owens, Saltzgaber, Seitz, Steedman and Wagener—14.

Those who voted in the negative were—

Messrs. Beebe, Beer, Carlisle, Curtiss, Grove, Howland, Kelley, Krimmel, Lord, Marsh, Parker, Richards, Sabine, Sherrick, Tyler, Williams and Wilson—17.

The same was disagreed to.

The question being on agreeing to the second clause of said proposition—

The yeas and nays were demanded, taken and resulted—yeas 20, nays 9, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carson, Curtiss, Dungan, Fisher, Forrest, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Owens, Richards, Seitz, Steedman, Wagener, Williams and Wilson—20.

Those who voted in the negative were—

Messrs. Carlisle, Grove, Kelley, Krimmel, Lord, Parker, Sabine, Saltzgaber and Tyler—9.

The same was agreed to, and Mr. Forrest was appointed such committee.

Mr. Forrest, on leave submitted the following report:

The select committee of one, to whom was referred S. B. No. 126, with instructions to amend, reports the same back amended as instructed.

W. T. Forrest.

Mr. Tyler moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 14, section 1. strike out the word "gold," and insert in lieu thereof the word "coin."

Which was agreed to, and Mr. Tyler was appointed such committee.

Mr. Tyler, on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No. 126, with instructions to amend, reports the same back, amended as instructed.

Geo. P. Tyler.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 16, nays 11, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Carlisle, Curtiss, Grove, Jackson of Clinton, Kelley, Krimmel, Lord, Marsh, Parker, Richards, Sabine, Tyler, Williams and Wilson—16.

Those who voted in the negative were—

Messrs. Armstrong, Carson, Dungan, Fisher, Forrest, Irvine, Joy, McDonald, Owens, Steedman and Wagener—11.

So the bill, having failed to receive a constitutional majority, was lost.

Mr. Forrest moved that the Senate proceed to the consideration of the special order—

S. B. No. 140—Mr. Forrest—Supplementary to the acts passed February 24, 1876, and April 24, 1877, supplementary to the act relating to cities of the first class having a population exceeding 150,000 inhabitants, passed May 4, 1869.

Mr. Johnston moved that said bill be laid upon the table.

On which motion, the yeas and nays were demanded, taken and resulted—yeas 17, nays 12, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Carlisle, Carson, Curtiss, Grove, Howland, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, Marsh, Richards, Sabine, Tyler and Wilson—17.

Those who voted in the negative were—

Messrs. Armstrong, Dungan, Fisher, Forrest, Joy, McDonald, Owens, Parker, Saltzgaber, Seitz, Steedman and Williams—12.

The motion was agreed to, and the bill was laid on the table.

Bills were read the second time and referred as follows:

H. B. No. 178—Mr. Dalzell—To provide for the appointment of a commission to inquire into and report upon sinecures and salaries.

To committee on Salaries and Fees of Public Officers.

H. B. No. 357—Mr. Foster—To amend an act entitled "An act to pro-

vide for the investment of funds detained in the hands of executors, agents, attorneys or officers, by reason of pending litigation."

To committee on Judiciary.

Mr. Steedman moved that the consideration of sub. for S. B. No. 135 be postponed until Tuesday next.

Which was agreed to.

Mr. Howland moved that the consideration of H. B. No. 340 be postponed until to-morrow.

Which was agreed to.

S. B. No. 163—Mr. Armstrong—To authorize the election of three additional judges in the first judicial district.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 23, nays 5, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Curtiss, Dungan, Fisher, Forrest, Grove, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, McDonald, Parker, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Tyler and Williams—23.

Those who voted in the negative were—

Messrs. Carson, Howland, Owens, Seitz and Wilson—5.

So the bill, having failed to receive a constitutional majority, was lost.

Mr. Wilson moved that the vote whereby S. B. No. 163 was lost, be reconsidered.

Which was agreed to.

Mr. Wilson moved that said bill be laid upon the table.

Which was agreed to.

S. B. No. 47—Mr. Owens—To authorize and empower the auditor of Licking county to refund certain taxes improperly collected.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 20, nays 6, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, McDonald, Owens, Parker, Richards, Sabine, Sherrick, Steedman, Tyler and Williams—20.

Those who voted in the negative were—

Messrs. Beer, Carlisle, Johnston, Joy, Kelley and Seitz—6.

So the bill was passed. The title was agreed to.

Mr. Tyler, on leave, introduced the following bill, which was read the first time:

S. B. No. 170—To authorize boards of education to compromise and adjust debts.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has reconsidered the vote by which S. B. No. 29, by Mr. Owens, was lost, and requests the return of the bill to the House.

Attest: L. A. Brunner, *Clerk.*

On motion of Mr. Fisher, the Senate acceded to the request of the House, and ordered the return of said bill.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has appointed Messrs. Bull, Norton, Williams, Carpenter and Sage as committee on part of the House, in pursuance to—

S. J. R. No. 38—Relating to the institution for education of Deaf Mutes.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 363—Mr. Maurey—To authorize the trustees of Windsor township, Morgan county, to levy a tax to pay indebtedness.

H. B. No. 140—Mr. Maurey—To amend section thirty-five, chapter eight, of offenses against public policy, (O. L., 1877, vol. 74, page 273).

H. B. No. 378—Mr. Bull—For the relief of John Martin.

H. B. No. 265—Mr. Williams—To divide Alliance precinct, in the township of Lexington and county of Stark, into two election precincts.

Attest: L. A. BRUNNER, *Clerk.*

The President, in the presence of the Senate, signed said bills.

Mr. Carlisle submitted the following report:

The standing committee on Roads and Highways, to whom was referred—

H. B. No. 304—To authorize the trustees of Delaware township, Delaware county, Ohio, to levy a tax for money to build a bridge—

Having had the same under consideration, report it back and recommend its passage.

B. W. CARLISLE, J. B. WILLIAMS,
LINDSEY KELLEY, J. C. MCDONALD,
JOHN H. BENSON.

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred—

S. B. No. 161—To amend an act entitled, "An act to create a board of trustees of the sinking fund, in cities of the first class having a population of one hundred and eighty thousand or over," passed May 3, 1877—

Having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

At the end of line 26 add the following:

SEC. 2. That said section two so amended be and the same is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

Amend title by inserting after the word "amend," the words "section two of," and after "1877" insert "74 vol., 157."

THEO. MARSH, R. G. RICHARDS,
G. M. SALTZGABER, LYMAN J. JACKSON,
H. C. LORD.

Said amendments were agreed to, and the bill ordered to be engrossed and read the third time to-morrow.

Mr. Carson submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred—

S. J. R. No. 18—Directing the printing of the school laws—

Having had the same under consideration, report it back, and recommend the adoption of the following substitute directing the printing of the school laws:

Be it resolved by the General Assembly of the State of Ohio, That the supervisor of public printing be, and he is hereby instructed to have printed and bound in muslin, fifteen thousand copies of the school law of 1873, including the amendatory and supplementary acts thereto to the present time, and including all the decisions of the Commissioner of common school, with a reference to each section of the law construed by him. One thousand copies for the use of the State School Commissioner, and the remainder to be distributed by the Secretary of State to the county auditors of the several counties, in proportion to their population, to be distributed by said auditors in the following manner:

One copy to the clerk of each township.

One copy to the clerk of each sub-school district.

One copy to the clerk of each special school district.

One copy to the clerk of each board of school examiners within the county.

J. M. CARSON, R. G. RICHARDS,
THOS. M. BEER, D. WAGENER,
G. A. GROVE, C. F. KRIMMEL.

Said substitute was agreed to.

Mr. Howland moved to amend said substitute by adding the words:

One copy to each prosecuting attorney in the State.

Which was agreed to.

The question being on the adoption of said joint resolution, the yeas and nays were taken, and resulted—yeas 28, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Steedman, Williams and Wilson—28.

So said joint resolution was adopted.

Mr. Seitz moved that H. B. No. 181 be taken from the table.

Which was agreed to.

Mr. Seitz moved that said H. B. No. 181 be laid on the table.

Which was agreed to.

Mr. Carson submitted the following report:

The committee on Revision has examined and found correctly engrossed S. B. No. 47, by Mr. Owens.

G. M. Saltzgaber,
J. M. Carson.

Mr. Richards submitted the following report:

The standing committee on Corporations other than Municipal, to whom was referred—

S. B. No. 15—Authorizing the formation of partnership associations, in which the capital subscribed shall alone be responsible for the debts of the association, except under certain circumstances—

Having had the same under consideration, report it back and recommend its passage.

R. G. Richards, Irvine Dungan,
J. M. Armstrong, J. R. Johnston.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Parker moved that S. J. R. No. 35 be taken from the table.

Which was agreed to.

Mr. Howland moved to amend said joint resolution as follows:

"Strike out the word "fifty-three," in line 6, and insert in lieu thereof the word "thirty-five," and in line 16 strike out the word "seventy-six" and insert in lieu thereof the word "sixty-seven."

Which was agreed to.

The question being on the adoption of said joint resolution, the yeas and nays were taken, and resulted—yeas 28, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Williams and Wilson—28.

So said joint resolution was adopted.

Mr. Carlisle, on leave offered the following joint resolution:

S. J. R. No. 47—*Be it resolved by the General Assembly of the State of Ohio*, That the board of directors of the Reform School for Boys be, and they are hereby authorized to employ a competent engineer to make a survey of the most feasible route for a narrow gauge railroad from the city of Lancaster, Fairfield county, Ohio, to the Reform Farm; also, to make an estimate of the cost of building such road, with the necessary rolling stock to operate the same, and the said directors shall make a report of such survey and estimate to this General Assembly, at its adjourned session; Provided, that the cost of such survey and estimate shall not exceed the sum of three hundred dollars.

On motion said resolution was referred to the committee on Reform School for Boys.

Mr. Sherrick offered the following resolution:

S. R. No. 50—*Resolved*, That S. R. No. 21 be and the same is hereby rescinded.

The question being on the adoption of said resolution.

Pending the roll call on the adoption of said resolution, Messrs. Beebe, Beer, Curtiss, Howland and Irvine were excused from voting.

Mr. Fisher moved that Mr. Kelley be excused from voting on said resolution.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 16 nays 5, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Curtiss, Fisher ,Howland, Irvine, Jackson of Clinton, Johnston, Joy, Krimmel, Marsh, Owens, Parker, Sabine and Seitz—16.

Those who voted in the negative were—

Messrs. Carlisle, Carson, Forrest, Lord and McDonald—5.

So the motion was agreed to, and Mr. Kelley was excused from voting.

Mr. Fisher moved that Mr. Richards be excused from voting.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 16, nays 10, as follows:

Those who voted in the affirmative were—

Messrs. Carlisle, Fisher, Forrest, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Krimmel, Lord, McDonald, Owens, Parker, Saltzgaber, Sherrick, Steedman and Williams—16.

Those who voted in the negative were—

Messrs. Beer, Carson, Curtiss, Joy, Kelley, Marsh, Sabine, Seitz, Tyler and Wilson—10.

So the motion was agreed to, and Mr. Richards was excused from voting.

On the adoption of said resolution, the yeas and nays were then announced—yeas, 12, nays 9, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Carson, Fisher ,Forrest, Jackson of Clinton, Lord, Marsh, McDonald, Sherrick, Steedman and Wilson—12.

Those who voted in the negative were—

Messrs. Grove, Jackson of Perry, Johnston, Joy, Krimmel, Owens, Seitz, Tyler and Williams—9.

So the resolution was adopted.

Mr. Wilson moved to reconsider the vote whereby S. R. No. 50 was adopted.

Which was agreed to.

Mr. Johnston moved that said resolution be laid upon the table.

On which motion the yeas and nays were demanded, taken and resulted—yeas 24, nays 8, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Curtiss, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Tyler, Williams and Wilson—24.

Those who voted in the negative were.

Messrs. Carlisle, Carson, Dungan, Fisher, Forrest, Saltzgaber, Sherrick and Steedman—8.

So the motion was agreed to, and said resolution was laid on the table.

On motion of Mr. Marsh, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

THURSDAY, APRIL 11, 1878—10 o'clock A. M.

The Senate met pursuant to adjournment.

Prayer by Rev. R. W. Manley.

The Journal was read and approved.

Mr. Richards moved that a message be sent to the House requesting that H. B. No. 78 be returned to the Senate.

Which was agreed to.

Mr. Fisher submitted the following report:

The committee on Revision has examined, and found correctly engrossed, S. B. No. 161.

G. M. SALTZGABER,
J. C. FISHER.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives, and read the first time:

H. B. No. 482—Mr. Sturgeon—To regulate the sales of homesteads and other real property on execution or order.

H. B. No. 483—Mr. Ellis—To authorize the commissioners of Ottawa county to borrow money to pay indebtedness and loss caused by the failure of the City Bank of Toledo.

H. B. No. 484—Mr. Poe—To punish certain offenses.

H. B. No. 485—Mr. Jessup—To authorize the trustees of Miami township, Hamilton county, to transfer certain funds therein named.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bill has been introduced in the House of Representatives and read the first time:

H. B. No. 486—Mr. Johnson—Supplementary to an act entitled "An act to provide for the uniform government and better regulation of the lunatic asylums of the State, and the care of idiots and the insane," passed April 7, 1865, and the several acts amendatory thereof, (S. & C., 848).

Attest: L. A. BRUNNER, *Clerk.*

Mr. Krimmel submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following joint resolution:

S. J. R. No. 45—Directing the binding of Secretary of State's Report in muslin.

C. F. KRIMMEL, R. G. RICHARDS,
J. R. JOHNSTON, C. R. HARMON,
F. M. CARTER, WM. JESSUP,
E. S. PERKINS.

Mr. Krimmel submitted the following report:

The conference committee appointed to consider the differences between the House and Senate on H. B. No. 96, have had the same under consideration, and recommend that the Senate recede from its first, second, fourth, fifth and sixth amendments.

That the House concur in the third, seventh and ninth Senate amendments.

Being unable to agree with reference to eighth amendment, recommend a second committee of conference on same.

R. G. Williams,
H. P. Clough,
J. F. Oglevee,
House Committee.

C. F. Krimmel,
H. C. Lord,
Senate Committee.

The question being on agreeing to the report of the conference committee, the yeas and nays were taken and resulted—yeas 9, nays 19, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Dungan, Grove, Johnston, Kelley, Marsh, McDonald, Seitz and Wilson—9.

Those who voted in the negative were—

Messrs. Beebe, Beer, Carlisle, Carson, Curtiss, Fisher, Forrest, Howland, Jackson of Clinton, Jackson of Perry, Owens, Parker, Richards, Sabine, Sherrick, Stokes, Tyler, Wagener and Williams—19.

So the report was disagreed to.

Bills were read the second time and referred as follows:

H. B. No. 400—Mr. Wright—To authorize a temporary loan for street cleaning purposes in certain cities of the first class.

To select committee of four—the Senators from Hamilton county.

H. B. No. 302—Mr. Booth—To create a special school district in Jackson township, Franklin county, Ohio.

To committee on Common Schools and School Lands.

S. B. No. 170—Mr. Tyler—To authorize boards of education to compromise and adjust debts.

To committee on Corporations other than Municipal.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives accedes to the request of the Senate, and returns—

H. B. No. 78—Mr. Johnson—To create a special school district composed of territory in the townships of Washington, Perry, Rush and Clay, in Tuscarawas county.

Attest: L. A. Brunner, *Clerk.*

Mr. Johnston moved that said bill be laid on the table.

Which was agreed to.

Mr. Fisher submitted the following report:

The committee on Revision have examined, and found correctly engrossed, S. R. No. 50, S. J. R. No. 18 and S. J. R. No. 47.

J. C. Fisher,
J. M. Carson,
G. W. Wilson.

Mr. Curtiss moved that the Senate proceed to the consideration of the amendments reported to S. B. No. 115, by the committee of the Whole.

Which was agreed to.

Hr. Howland moved that the amendments be considered separately.

Which was agreed to.

Mr. Howland moved that the further consideration of said amendments be postponed until this afternoon at 3 o'clock.

Which was agreed to.

H. B. No. 304—Mr. Elliott—To authorize the trustees of Delaware township, Delaware county, Ohio, to levy a tax for money to build a bridge.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 25, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Curtiss, Fisher, Forrest, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Kelley, Krimmel, Lord, McDonald, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—25.

Those who voted in the negative were—

Messrs. Carson and Johnston—2.

So the bill passed. The title was agreed to.

S. B. No. 161—Mr. Lord—To amend an act entitled "An act to create a board of trustees of the sinking fund in cities of the first class having a population of 180,000 or over," passed May 3, 1877.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 29, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Fisher, Forrest, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—29.

So the bill was passed. The title was agreed to.

Mr. Johnston moved that S. B. No. 15 be postponed until Wednesday next, and placed upon the calendar for third reading.

Which was agreed to.

Mr. Carson submitted the following report:

The standing committee on Finance, to whom was referred S. B. No. 166—To repeal section 7, chapter 5, of an act entitled "An act to amend, revise and consolidate the statutes relating to criminal procedure," passed May 5, 1877, (O. L., vol. 74, p. 340)—

Having had the same under consideration, report it back, and recommend its passage.

J. M. Carson,
Thos. M. Beer,
H. W. Curtiss.
J. Sherrick,
John Seitz,

Said bill was ordered to be engrossed, and read the third time on Tuesday next.

Mr. Curtiss submitted the following report:

The standing committee on Finance, to whom was referred S. J. R. No. 44—Directing the Secretary of State to ship and distribute certain public documents—

Having had the same under consideration, report it back, and recommend its adoption.

J. Sherrick, J. M. Carson,
H. W. Curtiss, John Seitz,
Irvine Dungan, H. C. Lord,
Thos. M. Beer.

The question being on the adoption of said joint resolution, the yeas and nays were taken, and resulted—yeas 24, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Fisher, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Marsh, McDonald, Owens, Parker, Richards, Seitz, Sherrick, Stokes, Tyler, Wagener and Wilson—24.

Mr. Forrest voted in the negative—1.

So the joint resolution was adopted.

Mr. Armstrong submitted the following report:

The standing committee on Soldiers' and Sailors' Orphans' Home, to whom was referred H. B. No. 81—For the reorganization and better management of the Soldiers' and Sailors' Orphans' Home, located at Xenia, and to repeal certain acts therein named—

Having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

In section 6, line 1, strike out "three" and insert "two."

In section 14, line 5, strike out "twenty" and insert "twenty-five."

J. M. Armstrong, W. H. Stokes,
J. B. Williams, C. F. Krimmel,
Geo. P. Tyler, John Seitz.

Said amendments were agreed to, and the bill was ordered to be engrossed, and read the third time to-morrow.

Mr. Marsh moved that S. B. No. 162 be taken from the table.

Which was agreed to.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 23, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Fisher, Grove, Howland, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Steedman, Stokes, and Wagener—23.

Messrs. Carson and Forrest voted in the negative—2.

So the bill was passed. The title was agreed to.

Mr. Marsh submitted the following report:

The special committee of four from Hamilton county, to whom was referred H. B. No. 400—To authorize a temporary loan for street cleaning purposes in certain cities of the first class—

Having had the same under consideration, report it back and recommend its passage.

THEO. MARSH, J. M. ARMSTRONG,
W. T. FORREST, H. C. LORD.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Carlisle submitted the following report:

The standing committee on Roads and Highways, to whom was referred H. B. No. 208—To authorize the board of county commissioners of Franklin county to construct bridges across the Scioto river at points therein named—

Having had the same under consideration, report it back and recommend its passage.

B. W. CARLISLE, JOHN H. BENSON,
J. B. WILLIAMS, J. C. MCDONALD,
LINDSEY KELLEY.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Carson submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred H. B. No. 300—To authorize a contract with reference to a new school house—

Having had the same under consideration, report it back, and recommend its passage.

C. F. KRIMMEL, H. C. LORD,
J. M. CARSON, D. WAGENER.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Carson submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred H. B. No 434—To authorize the board of education of Chardon school district No. 1, in the county of Geauga, to issue bonds, to cancel certain outstanding bonds, refund a school house debt, and provide for the payment of the same—

Having had the same under consideration, report it back, and recommend its passage.

J. M. CARSON, R. G. RICHARDS,
G. A. GROVE, THOS. M. BEER,
D. WAGENER.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Carson submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred H. B. No. 435—To authorize the board of education of Goshen township, Champaign county, to issue bonds to build a school house—

Having had the same under consideration, report it back, and recommend its passage.

J. M. CARSON, D. WAGENER,
C. F. KRIMMEL, THOS. M. BEER,
R. G. RICHARDS, G. A. GROVE.

Said bill was ordered to be engrossed, and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 29, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—29.

Mr. Seitz voted in the negative—1.

So the bill was passed. The title was agreed to.

Mr. Seitz moved that H. B. No. 181 be taken from the table.

Which was agreed to.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 29, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—29.

So the bill passed. The title was agreed to.

Mr. Grove moved that S. B. No. 90 be taken from the table.

Which was agreed to.

The question being on agreeing to the House amendments to said bill, the yeas and nays were demanded, taken and resulted—yeas 15, nays 15, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Carlisle, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Lord, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick and Wilson—15.

Those who voted in the negative were—

Messrs. Armstrong, Carson, Curtiss, Fisher, Forrest, Joy, Kelley, Krimmel, McDonald, Owens, Steedman, Stokes, Tyler, Wagener and Williams—15.

So said amendment was disagreed to.

Mr. Forrest moved that the vote whereby S. B. No. 126 was lost be reconsidered.

Which was agreed to.

Mr. Lord offered the following as a substitute for said bill:

A BILL

Supplementary to the acts passed February 24, 1876, and April 24, 1877; supplementary to the act relating to cities of the first class having a population exceeding 150,000 inhabitants, passed May 4, 1869, (O. L., v. 66, p. 80,) and to repeal section 9, and a portion of section 4 of said act.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That it shall be lawful for the board of trustees, appointed under the acts to which this is supplementary, and they are hereby authorized to borrow, as a fund, for the completion of the line of railway for which they are trustees, a sum in addition to the amounts authorized by said acts, not to exceed two millions of dollars, and to issue bonds therefor in

the name and under the corporate seal of the city owning the line of railway. Said bonds shall be signed and attested in the same manner as the bonds authorized by the acts to which this is supplementary, and shall be secured by the pledge of the faith of the city, and a tax, which shall be annually levied by the council of said city, on the real and personal property therein returned on the grand levy, sufficient to pay the interest thereon and provide a sinking fund for their final redemption, and they may be made payable, both as to principal and interest, in coin or lawful money, at such times and places and in such sums as shall be deemed best by said boards of trustees: Provided, that none of the bonds authorized by this act shall be sold for less than par in lawful money, or bear a greater rate of interest than seven per cent. per annum: Provided, further, that it shall be unlawful for said trustees to use the whole or any part of said bonds, or the proceeds thereof, upon any part of said railway, which may have been in use for the passage of freight and passenger trains, before the passage of this act, or in providing terminal facilities, yards, workshops, depots or depot grounds therefor, until after provision shall have been fully made by said trustees, for the complete construction of that part of said railway, which may remain uncompleted at the date of the passage of this act, to the southern terminus of said railway, or to a junction with any other railroad of similar gauge in the vicinity of said terminus, and extending thereto, so as to admit of the passage of trains of passenger and freight cars from one terminus to the other terminus of said railway, and until the fund shall have been set aside and appropriated for that purpose, so as not to be diverted to any other object whatever; Provided, further, that whenever, and as soon as said railway shall have been so far completed, as that passenger and freight cars may pass over its line from one terminus to the other terminus thereof, or to any other railroad of similar gauge in the vicinity of said terminus, and extending thereto, and over said railroad to said terminus, all net earnings and incomes therefrom, shall be paid into the treasury of said city to the credit of the interest fund.

Provided, that said trustees, with the approval of the trustees of the sinking fund of the city owning said line of railway, may expend a sum not exceeding fifty thousand dollars in the purchase of rights of way, and such other terminal facilities as may be deemed necessary by them to meet the requirements of business and travel at the northern terminus of said road, or in the vicinity thereof.

Provided further, that no bonds shall be issued or sold, until after the question of their issue shall have been submitted to a vote of the qualified electors of said city, after not less than ten days' notice of the time of taking said vote, which time shall be fixed by the mayor of said city, and proclamation thereof shall be made by him of the time of holding such election, which shall be held within twenty days from the passage of this act; and said vote shall be taken at the usual places of holding elections in each ward of said city, and the ballots cast at such election shall have written or printed thereon the words, "For issue of $2,000,000 bonds—Yes," or "For issue of $2,000,000 bonds—No;" and no bonds shall be issued unless a majority of all the votes cast shall have written or printed thereon the words, "For issue of $2,000,000 bonds—Yes."

SEC. 2. Said trustees shall, in addition to the powers granted in the acts to which this is supplementary have power to acquire by lease and hold lands for terminal facilities, and rights of way thereto in the city owning the line of railway. The leases for the land so acquired shall be

made to and in the name and under the corporate seal of said city. They shall be signed and attested in the same manner as the bonds authorized by the acts to which this act is supplementary, and the rents therein reserved shall be secured by a covenant that the council of said city will annually levy a tax on the real and personal property thereof returned on the grand levy sufficient to pay the same; Provided, that the aggregate amount of said rents shall not exceed six thousand dollars per annum; Provided, that no lands or rights of way shall be leased or acquired by the said trustees, without the approval of the trustees of the sinking fund of said city; Provided further, that all contracts made by the trustees of said railway contrary to any provisions of this act shall be void so far as the funds in the hands of the trustees are concerned, but shall be personally binding upon the trustees making the same.

SEC. 3. So much of the act passed May 4th, 1869, to which this act is supplementary, as refers to the compensation of the trustees, and the mode of fixing the same, is hereby repealed, and it is hereby enacted that the trustees of said railway shall receive no compensation for their services beyond an aggregate sum of five thousand dollars per annum.

SEC. 4. That before the execution of any lease or license to use any part or all of any such railway, by any trustees appointed under the said act, in any city of the first-class, wherein there may be any board of trustees of the sinking fund of any such city, and before the award of any such lease or license to any lessee or licensee, or the delivery of possession under such lease or license to said lessee or licensee, said award and delivery of possession shall be submitted to and receive the approval of the trustees of the sinking fund aforesaid.

SEC. 5. The trustees of said railway shall not use or occupy any street, alley, or other public way, space or ground, or any part thereof belonging to said city, unless they make application, in writing, and receive the consent thereto of the board of public works of said city; Provided, that they shall have the right to use the streets and public ground now occupied by said railway.

SEC. 6. Nothing in this act contained shall require any purchaser or holder, for value of any of said bonds authorized by this act, to look to the application of the proceeds thereof, to the construction of said lines of said railway, according to the requirements of this act.

SEC. 7. That section 9 of the act entitled "An act relating to cities of the first-class, having a population exceeding one hundred and fifty thousand inhabitants," passed May 4, 1869, (v. 66, p. 80) be and the same is hereby repealed.

SEC. 8. The trustees of said railway shall have the power, as fast as portions of the line for which they are trustees, are completed, with the approval of the trustees of the sinking fund, to rent or lease, temporarily, the right to use and operate such portions upon such terms as they may deem best.

SEC. 9. Any and all parts of the acts to which this act is supplementary, which are inconsistent with or in conflict with the provisions of this act, are hereby repealed.

SEC. 10. This act shall take effect and be in force from and after its passage.

Mr. Forrest moved that said substitute be printed.

Which was agreed to.

Said substitute was agreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 26, nays 4, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Forrest, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, McDonald, Owens, Parker, Richards, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—26.

Those who voted in the negative were—

Messrs. Fisher, Howland, Johnston and Sabine—4.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the adoption of the following joint resolution:

S. J. R. No. 44—Mr. Beer—Directing the Secretary of State to ship and distribute certain public documents.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed tne following joint resolution:

S. J. R. No. 45—Mr. Carson—Directing the binding of Secretary of State's report in muslin.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said joint resolution.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill in which the concurrence of the Senate is requested:

H. B. No. 165—Mr. White—Supplementary to an act entitled "An act to provide for the creation and regulation of incorporated companies in the State of Ohio," passed May 1, 1852.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Saltzgaber submitted the following report:

The committee on Revision has examined and found correctly engrossed S. J. R. No. 35.

G. M. SALTZGABER,
J. C. FISHER.

Mr. Jackson of Perry submitted the following report:

The standing committee on Corporations other than Municipal, to whom was referred H. B. No. 402—To authorize the trustees of the Presbyterian church of New Concord, Muskingum county, Ohio, to convey to the Pleasant Hill cemetery association, of Union township, of said county, certain cemetery grounds, owned by said association—

Having had the same under consideration, report it back, and recommend its passage.

LYMAN J. JACKSON, IRVINE DUNGAN,
J. M. ARMSTRONG, J. R. JOHNSTON,
GEO. P. TYLER, R. G. RICHARDS.

Said bill was ordered to be engrossed, and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 25, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Dungan, Fisher, Forrest, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, McDonald, Owens, Parker, Richards, Seitz, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—25.

So the bill was passed. The title was agreed to.

On motion of Mr. Johnston, the Senate took a recess.

THREE O'CLOCK P. M.

On demand of Mr. Carson, a call of the Senate was had.

Messrs. Benson, Forrest, Irvine, Johnston, Joy, Kelley, Marsh, Steedman and Wilson were absent.

Messrs. Forrest, Marsh and Wilson appeared within the bar of the Senate and answered to their names.

Mr. Carson moved that further proceedings under the call be dispensed with.

Which was disagreed to.

Mr. Seitz moved that the Sergeant-at-Arms be dispatched for absentees.

Which was agreed to.

Messrs. Johnston, Kelley and Steedman appeared within the bar of the Senate and answered to their names.

Mr. Fisher moved that further proceedings under the call be dispensed with.

Which was agreed to.

Mr. Carson moved that S. J. R. No. 46 be taken from the table.

Which was disagreed to.

Mr. Carlisle moved that S. B. No. 96 be taken from the table.

Which was agreed to.

Mr. Forrest moved that said S. B. No. 96 be laid upon the table.

Which was agreed to.

Mr. Carlisle moved that S. B. No. 94 be taken from the table.

Which was agreed to.

Mr. Carlisle moved that the Senate concur in the House amendments to said bill.

Mr. Carson moved that said House amendments be voted upon separately.

Which was agreed to.

The question being on agreeing to House amendment No. 1, the yeas and nays were demanded, taken and resulted—yeas 7, nays 24, as follows:

Those who voted in the affirmative were—

Messrs. Curtiss, Howland, Jackson of Clinton, Richards, Saltzgaber, Seitz and Wilson—7.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Johnston, Joy, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Sabine, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—24.

So said amendment was disagreed to.

The question being on agreeing to House amendment No. 2, the yeas and nays were demanded, taken and resulted—yeas 21, nays 11, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Carson, Fisher, Forrest, Grove, Irvine, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—21.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley, Richards, Sabine, Seitz and Wilson—11.

So said amendment was agreed to.

The question being on agreeing to House amendment No. 3, the yeas and nays were demanded, taken and resulted yeas 3, nays 26, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Curtiss and Lord—3.

Those who voted in the negative were—

Messrs. Armstrong, Beer, Carlisle, Carson, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Marsh, McDonald, Owens, Richards, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—26.

So said amendment was disagreed to.

The question being on agreeing to House amendment No. 4, the yeas and nays were demanded, taken and resulted—yeas 22, nays 4, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Joy, Lord, McDonald, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Steedman and Wagener—22.

Those who voted in the negative were—

Messrs. Beer, Johnston, Kelley and Wilson —4.

So said amendment was agreed to.

The question being on agreeing to House amendment No. 5, the yeas and nays were demanded, taken and resulted—yeas 2, nays 26, as follows:

Those who voted in the affirmative were—

Messrs. Carlisle and Grove—2.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Beer, Carson, Curtiss, Fisher, Forrest, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, McDonald, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Steedman, Tyler, Wagener, Williams and Wilson—26.

So said amendment was disagreed to.

The question being on agreeing to House amendment No. 6, the yeas and nays were demanded, taken and resulted—yeas 6, nays 18, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson and Lord—6.

Those who voted in the negative were—

Messrs. Fisher, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, McDonald, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—18.

So said amendment was disagreed to.

The question being on agreeing to House amendment No. 7, the yeas and nays were demanded, taken and resulted—yeas none, nays 26, as follows:

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, McDonald, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Stokes, Tyler, Williams and Wilson—26.

So said amendment was disagreed to.

The question being on agreeing to House amendment No. 8, the yeas and nays were demanded, taken and resulted—yeas 23, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Fisher, Grove, Howland, Jackson of Perry, Joy, Kelley, Lord, McDonald, Parker, Richards, Sabine, Seitz, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—23.

Mr. Johnston voted in the negative—1.

So said amendment was agreed to.

The question being on agreeing to House amendment No 9, the yeas and nays were demanded, taken and resulted—yeas 21, nays 1, as follows:

Those who voted in the affirmative were--

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Fisher, Forrest, Grove, Howland, Irvine, Kelley, Krimmel, Lord, McDonald, Owens, Richards, Sabine, Seitz, Sherrick, Stokes and Wagener—21.

Mr. Johnston voted in the negative—1.

So said amendment was agreed to.

Mr. Lord submitted the fol'owing report:

The standing committee on Railroads, Telegraphs and Turnpikes, to whom was referred S. B. No. 155—To protect more effectually the lives of railroad passengers from casualties by fire—

Having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

1. After the word "of" in line 4 of section 1, insert the word "such."
2. After the words "April 5, 1867" in section 2 add the words "amended April 8, 1871."
3. After the word "repealed" in line 4 in section 3 add the words "and that all existing penalties and forfeitures under said act and pending actions or prosecutions therefor be rendered null and void by such repeal."

GEO. P. TYLER, D. JOY,
H. C. LORD, H. SABINE,
J. M. CARSON, THOS. M. BEER.

Mr. Johnston moved that the said amendments be voted upon separately.

Which was agreed to.

Amendments 1 and 2 were agreed to.

Amendment No. 3 was disagreed to.

Said report of the committee as amended, was then agreed to, and the bill was ordered to be engrossed and read the third time on Tuesday next.

Leave of absence was asked and obtained for Mr. Lord until Tuesday next.

Mr. Wilson submitted the following report:

The standing committee on Revision has examined, and found correctly engrossed S. B. No. 126.

GEO. W. WILSON,
G. M. SALTZGABER,
J. C. FISHER.

Mr. Johnston moved that S. B. No. 115 be taken up.

Which was agreed to.

The question being on agreeing to the amendments reported to said bill, by the committee of the whole—

Amendment No. 1 was agreed to.

Mr. Wilson moved to reconsider the vote whereby amendment No. 1 was agreed to.

On which motion, the yeas and nays were demanded, taken and resulted—yeas 14, nays 11, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Carson, Curtiss, Howland, Jackson of Perry, Johnston, Kelley, Owens, Richards, Sabine, Tyler Wagener and Wilson—14.

Those who voted in the negative were—

Messrs. Armstrong, Dungan, Fisher, Forrest, Grove, Krimmel, Marsh, McDonald, Saltzgaber, Seitz and Sherrick—11.

So the motion was agreed to.

The question recurring on agreeing to said amendment No. 1.

Mr. Forrest moved to amend said amendment by striking therefrom the words "injury or."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 21, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Perry, Johnston, Kelley, Marsh, McDonald, Parker, Richards, Sabine, Seitz, Sherrick, Tyler and Wilson—21.

So the motion to amend was agreed to.

The question recurring on agreeing to said amendment as amended, the yeas and nays were demanded, taken and resulted—yeas 8, nays 15, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Fisher, Forrest, Grove, Marsh, Saltzgaber, Sherrick and Wagener—8.

Those who voted in the negative were—

Messrs. Beebe, Beer, Carson, Curtiss, Dungan, Howland, Jackson of Perry, Johnston, Kelley, McDonald, Owens, Parker, Richards, Sabine and Wilson—15.

So said amendment No. 1 was disagreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives insists on its amendments to—

S. B. No. 90—Mr. Steedman—To authorize the sale of railroads in certain cases—and asks for the appointment of a committee of conference.

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Forrest, the request of the House was acceded to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the adoption of the following joint resolutions:

S. J. R. No. 27—Mr. Owens—Authorizing the Adjutant-General to loan battle flags, etc., to the executive committee of the soldiers' and sailors' society, of Licking county, to be used at a rennion to be held at Newark, Ohio, on the 22d of July 1878.

S. J. R. No. 40—Mr. Sabine—To authorize the Adjutant-General to forward to the executive committee of the ex-soldiers of Union county, battle flags, etc., for a reunion of said soldiers, to be held during 1878.

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Curtiss, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

FRIDAY, APRIL 12, 1878—10 o'clock A. M

The Senate met pursuant to adjournment.
Prayer by Rev. H. C. MacBride, A. M., of Zanesville, Ohio.
The Journal was read and approved.

The President appointed Messrs. Forrest, Steedman and Curtiss as committee of conference on S. B. No. 90, on part of the Senate.

Mr. Carlisle presented the petition of Thomas L. Minton, and 1,500 other citizens of Athens county, praying for the passage of a law enabling the county commissioners to build a court house in said county.

Which was referred to the committee on Finance.

Mr. Forrest presented the petition of Adam Geis, and 243 other citizens of Hamilton county, praying that the Senate of Ohio enact into a law H. B. No. 4—Mr. Bohl.

Which was laid upon the table.

Mr. Sabine presented the petition of Louis Paine, and 532 other citizens of Mt. Union, Stark county, praying for statute to submit the option to determine by vote whether or not village council shall prohibit by ordinances places of notorious resort for tippling and intemperance.

Which was referred to the committee on Sanitary Laws and Regulations.

The following bill was read the second time:

H. B. No. 165—Mr. White—Supplementary to an act entitled "An act to provide for the creation and regulation of incorporated companies in the State of Ohio," passed May 1, 1852.

Referred to the committee on Corporations other than Municipal.

Mr. Fisher submitted the following report:

The committe on Revision has examined, and found correctly engrossed H. B. No. 81.

J. C. FISHER, G. M. SALTZGABER,
G. W. WILSON.

H. B. No. 81—Mr. O'Connor—For the reorganization and better man-

agement of the Soldiers' and Sailors' Orphans' Home, located at Xenia, and to repeal certain acts therein named.

Was read the third time.

On demand of Mr. Carson, a call of the Senate was had.

Messrs. Joy, Marsh, McDonald and Wilson were absent.

Mr. Johnston moved that further proceedings under the call be dispensed with.

Which was disagreed to.

Leave of absence was asked and obtained for Messrs. McDonald, Wilson and Joy, until Monday next.

Mr. Fisher moved that further proceedings under the call be dispensed with.

Which was agreed to.

Mr. Tyler moved that the further consideration of H. B. No. 81 be postponed until Wednesday next.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 16, nays 13, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Fisher, Forrest, Grove, Krimmel, Marsh, Parker, Seitz, Sherrick, Stokes, Tyler, Wagener and Williams—16.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Dungan, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Richards, Sabine, Saltzgaber and Steedman–13.

So the motion was agreed to.

Mr. Fisher submitted the following report:

The committee on Revision has examined, and found correctly engrossed, S. B. No. 155.

J. C. Fisher, G. M. Saltzgaber,
J. M. Carson.

Mr. Richards submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled the following bills:

H. B. No. 435—To authorize the board of education of Goshen township, Champaign county, to issue bonds to build a school house.

H. B. No. 304—To authorize the trustees of Delaware township, Delaware county, Ohio, to levy a tax for money to build a bridge.

J. W. Washburn, Wm. Jessup,
C. R. Harmon, F. M. Carter,
E. S. Perkins, R. G. Richards,
J. R. Johnston, Duncan Dow.

Mr. Richards, on leave, introduced the following bill, which was read the first time:

S. B. No. 171—To amend section 9 of an act entitled "An act supplementary to an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio," passed May 1, 1852; passed April 15, 1867, (S. & S. 186); as amended February 25, 1869, (O. L., v. 66, p. 11); as amended April 20, 1874, (O. L., v. 71, p. 161); as amended April 11, 1876, (O. L., v. 73, p. 188); as amended March 12, 1877, (O. L., v. 74, p. 38); as amended March 28, 1878.

Mr. Richards moved that the constitutional rule requiring bills to be read "on three different days" be suspended, that S. B. No. 171 may be read the second time.

The yeas and nays were demanded, taken, and resulted—yeas 18, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Fisher, Grove, Howland, Johnston, Krimmel, Richards, Sabine, Seitz, Sherrick, Steedman, Stokes Tyler, Wagener and Williams– 18.

So the motion was disagreed to.

Mr. Steedman moved that H. B. No. 340 be taken from the table

Which was agreed to.

Said bill was read the third time.

Mr. Owens moved to refer the bill to a select committee of one, with instructions to amend by adding to the end of section 2, as follows:

Provided, however, that for the protection of future legislatures, whenever in the future the citizens of an incorporated village, having a population of 1087, and no more, become exercised over the deeds and doings of said trustees, they are hereby generally authorized to allow the board of sinking fund commissioners, and board of public works to appoint any committee or committees they may desire to investigate when, where and how they please.

Which was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 21, nays 7, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Dungan, Grove, Jackson of Clinton, Jackson of Perry, Kelley, Krimmel, Owens, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams–21.

Those who voted in the negative were—

Messrs. Fisher, Forrest, Howland, Irvine, Johnston and Richards—7.

So the bill was passed. The title was agreed to.

H. B. No. 400—Mr. Wright—To authorize a temporary loan for street cleaning purposes in certain cities of the first-class.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 28, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Kelley, Krimmel, Marsh, Owens, Parker, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, and Williams—28.

So the bill was passed. The title was agreed to.

H. B. No. 208—Mr. White—To authorize the board of county commissioners of Franklin county to construct bridges across the Scioto river at points therein named.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 23, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Kelley, Krimmel, Marsh, Owens, Parker, Sabine, Sherrick, Stokes, Tyler, Wagener and Williams—23.

Mr. Johnston voted in the negative—1.

So the bill was passed. The title was agreed to.

H. B. No. 300—Mr. White—To authorize a contract with reference to a new school house.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 23, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Dungan, Fisher, Grove, Howland, Jackson of Clinton, Jackson of Perry, Kelley, Krimmel, Marsh, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler and Wagener—23.

Mr. Carson voted in the negative—1.

So the bill was passed. The title was agreed to.

H. B. No. 434—Mr. Hitchcock—To authorize the board of education of Chardon school district No. 1, in the county of Geauga, to issue bonds, to cancel certain out-standing bonds, refund a school house debt, and provide for the payment of the same.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 26, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Krimmel, Marsh, Owens, Richards, Sabine, Saltzgaber, Steedman, Stokes, Tyler, Wagener and Williams—26.

So the bill was passed. The title was agreed to.

Mr. Carlisle introduced the following bill, which was read the first time:

S. B. No. 172—To authorize and require the commissioners of Athens county, Ohio, to build a court house.

Mr. Johnston introduced the following bill, which was read the first time:

S. B. No. 173—Supplementary to an act entitled "An act to provide for the settlement of the accounts of trustees," passed April 2, 1873. (O. L., vol. 70, p. 100).

Mr. Grove introduced the following bill, which was read the first time:

S. B. No. 174—To enable the commissioners of Montgomery county to purchase toll roads, and to convert the same into free roads.

Mr. Carlisle moved that the constitutional rule requiring bills to be read on three different days be suspended, that S. B. No. 172 may be read the second time.

On which motion, the yeas and nays were taken and resulted—yeas 27, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Krimmel, Marsh, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—27.

So the motion was agreed to.

Said bill was then read the second time, and referred to committee on Finance.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the adoption of the following joint resolution:

S. J. R. No. 15—Mr. Carlisle—Authorizing the printing of additional copies of the report made to the Governor by Prof. Tuttle, on hog cholera.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 487—Mr. Hostetter—To amend section 6, of an act entitled "An act for opening and regulating roads and highways," passed January 27, 1853, (S. & C., p. 1291), as amended April 29, 1872, (O. L., vol. 69, p. 186).

H. B. No. 488—Mr. Bloom—To revise and consolidate the laws relating to the procedure before justices of the peace and mayors.

H. B. No. 489—Mr. Bohl—To amend an act entitled "An act to regulate companies doing an insurance business in the State of Ohio," passed April 27, 1872, as amended April 24, 1873.

H. B. No. 490—Mr. Herrick—To authorize the transfer of funds in the treasury of the incorporated village of Elyria, Lorain county, Ohio.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 496—Mr. Dodds—Exempting State, county, township and municipal bonds from taxation.

H. B. No. 497—Mr. Dow—To authorize the village council of the incorporated village of Quincy, in Logan county, to make a special assessment.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives insists on its amendments to—

S. B. No. 94—Mr. Carlisle—For the better organization and management of the Imbecile Asylum—

And asks for the appointment of a committee of conference.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Seitz moved that the Senate accede to the request of the House. Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has indefinitely postponed the following bill:

S. B. No. 131—Mr. Seitz—To repeal an act to create a sub-school district in Seneca county, Ohio, to be called the Rockaway sub-school district.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 336—Mr. Wales—To authorize the trustees of Salem township, Warren county, Ohio, to transfer certain funds therein named to the township fund of said township.

H. B. No. 392—Mr. Swaim—To make temporary transfers heretofore made by the county commissioners of Clinton county, permanent.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 491—Mr. Baker—To attach territory to Spencerville special school district.

H. B. No. 492—Mr. Crosson—Amendatory to an act to authorize the commissioners of Hamilton and Clermont counties to build a bridge over the Little Miami river, passed April 7, 1876, (vol. 73, O. L., p. 286), as amended March 30, 1877, (O. L., p. 424).

H. B. No. 493—Mr. Dodds—For the relief of John Foeks.

H. B. No. 494—Mr. Norton—To authorize the commissioners of Knox county to raise money, by special tax, for the relief of certain persons therein referred to.

H. B. No. 495—Mr. Clough—To authorize the organization of canal transportation and leasing companies.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 467—Mr. Washburn—To authorize the town council of Waverly, Pike county, to issue bonds and levy a tax.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Dungan moved that the constitutional rule requiring bills to be read on three different days be suspended, that H. B. No. 467 may be read the second time.

On which motion the yeas and nays were taken, and resulted—yeas 24, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Johnston, Marsh, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—24.

So the motion was disagreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills and joint resolutions:

H. B. No. 435—Mr. Cowgill—To authorize the Board of Education of Goshen township, Champaign county, to issue bonds to build a school house.

H. B. No. 304—Mr. Elliott—To authorize the trustees of Delaware township, Delaware county, Ohio, to levy a tax for money to build a bridge.

S. J. R. No. 27—Mr. Owens—Authorizing the Adjutant-General to loan battle-flags, etc., to the executive committee of the Soldiers' and Sailors' society of Licking county, for a re-union to be held at Newark, Ohio, on the 22d of July, 1878.

S. J. R. No. 40—Mr. Sabine—To authorize the Adjutant-General to forward to the executive committee of the ex-soldiers of Union county, battle-flags, etc., for a re-union to be held during 1878.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills and joint resolutions.

Mr. Johnston moved that the committee on Public Expenditures be discharged from the consideration of S. B. No. 36, and that the bill be indefinitely postponed.

Mr. Carson demanded a division of the question.

The question being on discharging the committee from the further consideration of said bill—

Mr. Fisher moved that the motion be laid on the table.

On which motion the yeas and nays were demanded, taken and resulted—yeas 18, nays 8, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Irvine, Jackson of Perry, Krimmel, Marsh, Owens, Parker, Stokes, Tyler, Wagener and Williams—18.

Those who voted in the negative were—

Messrs. Beebe, Beer, Howland, Jackson of Clinton, Johnston, Richards, Sabine and Steedman—8.

So the motion was agreed to.

Mr. Armstrong submitted the following report:

The standing committee on Claims, to whom was referred H. B. No. 218—Providing for the payment of the cost of building levees to protect lands from overflowing, in certain cases—

Having had the same under consideration, report it back and recommend its passage.

J. M. Armstrong, J. B. Williams,
D. D. Beebe, H. Sabine,
C. S. Parker, G. A. Grove.

Said bill was ordered to be engrossed and read the third time now, and was then read.

Mr. Johnston moved that the bill be referred to a select committee of one, with instructions to amend by striking out the preamable.

Which was agreed to, and Mr. Johnston was appointed such committee, who reported the bill back amended as instructed.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 25, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Dungan, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Krimmel, Marsh, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler and Wagener—25.

So the bill was passed. The title was agreed to.

Mr. Beer submitted the following report:

The standing committee on Railroads, Telegraphs and Turnpikes, to whom was referred—

S. B. No. 107—To repeal section one and section three of an act to protect more effectually the lives of railroad passengers from casualties by fire, passed May 4, 1869, (S. S., v. 3, p. 1838)—

Having had the same under consideration, report it back, and recommend its indefinite postponement.

Geo. P. Tyler, J. C. Fisher,
J. M. Carson, H. Sabine,
Thos. M. Beer.

Said report was agreed to.

Mr. Carson submitted the following report:

The standing committee on Railroads, Telegraphs and Turnpikes, to whom was referred—

H. B. No. 355—To authorize the auditor of Butler county to pay a claim named therein—

Having had the same under consideration, report it back with following amendments, and recommend its passage when so amended:

SEC. 1. In line two, after the word "Auditor," insert the words "and County Commissioners."

In line three, same section, strike out the words "he is" and insert "they are."

In line seven, same section, strike out the word "is" and insert the words "and County Commissioners are."

In line nine, same section, strike out the word "he" and insert the words "the County Auditor."

J. M. CARSON, J. C. FISHER,
GEO. P. TYLER, H. SABINE,
THOS. M. BEER.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Krimmel submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled the following joint resolutions:

S. J. R. No. 40—To authorize the Adjutant-General to forward to the executive committee of the ex-soldiers of Union county, battle-flags, etc., for a reunion of said soldiers, to be held during 1878.

S. J. R. No. 27—Authorizing the Adjutant-General to loan battle-flags, artillery, musketry and infantry accoutrements to the executive committee of the Soldiers' and Sailors' Society of Licking county, to be used at a reunion of ex-Soldiers and Sailors to be held in the "Ancient Fort" at Newark, Ohio, on the 22d of July, 1878, the anniversary of the death of General McPherson.

C. F. KRIMMEL, J. R. JOHNSTON,
IRVINE DUNGAN, R. G. RICHARDS,
DUNCAN DOW, C. R. HARMON,
F. M. CARTER.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has appointed Messrs. Oglevee, Bull and Norton as a committee of Conference on the differences between the House and Senate on S. B. No. 90.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Stokes submitted the following report:

The standing committee on Agriculture, to whom was referred H. B. No. 338—To authorize the Berea Agricultural Society to open streets through, to allot and sell or exchange certain lands—

Having had the same under consideration, report it back and recommend its passage.

W. H. STOKES, B. W. CARLISLE,
J. B. WILLIAMS, H. SABINE,
THOS. S. JACKSON.

Said bill was ordered to be engrossed and read the third time on Tuesday next.

On motion of Mr. Steedman, the Senate took a recess.

THREE O'CLOCK, P. M.

On demand of Mr. Forrest a call of the Senate was had.

Messrs. Benson, Jackson of Clinton, Fisher, Parker, Steedman and Tyler were absent.

Leave of absence was asked and obtained for Messrs. Wagener, Marsh, Kelley and Richards, until Monday.

Mr. Krimmel moved that Mr. Sherrick be excused until Monday.

Which was agreed to.

Mr. Johnston moved that further proceedings under the call be dispensed with.

Which was agreed to.

Mr. Curtiss moved that the Senate adjourn until Monday morning at ten o'clock.

On which motion the yeas and nays were demanded, taken and resulted—yeas 12, nays 8, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carson, Curtiss, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Krimmel, Owens and Sabine —12.

Those who voted in the negative were—

Messrs. Benson, Carlisle, Dungan, Forrest, Grove, Irvine, Seitz and Stokes—8.

So the motion was agreed to, and the Senate adjourned until Monday morning at 10 o'clock.

Attest: ALLEN O. MYERS, *Clerk.*

MONDAY, APRIL 15, 1878—10 o'clock A. M.

The Senate met pursuant to adjournment.

The Journal was read and approved.

On demand of Mr. Richards, a call of the Senate was had.

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Dungan, Forrest, Grove, Howland, Johnston, Kelley, Krimmel, Marsh, Parker, Sherrick, Steedman and Wilson were absent.

On motion of Mr. Fisher, the Sergeant-at-Arms was dispatched for absentees.

Messrs. Forrest, Howland, Carson, Carlisle and Dungan appeared within the bar of the Senate, and answered to their names.

On motion of Mr. Fisher, further proceedings under the call were dispensed with.

Leave of absence was asked and obtained for Messrs. Kelley, Curtiss, Wilson, Steedman and Marsh, until this afternoon; for Messrs. Benson and Beebe until to-morrow; and for Mr. Johnston until Wednesday, on account of sickness.

Mr. Owens presented the remonstrance of 99 students of the Agricultural College, against making military drill optional.

Which was referred to committee on Universities and Colleges.

Mr. Beer presented the petition of Jefferson Davis and 355 other citizens of Warren, Trumbull county, praying for statutes submitting the "local option" to incorporated villages, whether or not village councils

shall be required to make ordinances against places of notorious resort for tippling purposes.

Which was referred to committee on Sanitary Laws and Regulations.

Mr. Sabine presented the petition of Wm. Mungen and 213 other citizens of Findlay, Hancock county, asking the submission, by statutes, to incorporated villages, the option, determined by vote of the qualified electors, whether or not they require village councils to prohibit, by ordinances, places of notorious resort for tippling.

Which was referred to committee on Sanitary Laws and Regulations.

Mr. Jackson of Clinton presented the petition of Rhoda Donald and 175 other citizens of Wilmington, Clinton county, praying for statutes submitting to a vote the option whether or not village councils shall prohibit, by ordinances, places of notorious resort for tippling and intemperance.

Which was referred to committee on Sanitary Laws and Regulations.

Mr. Saltzgaber submitted the following report:

The committee on Revision has examined, and found correctly engrossed, H. B. No. 355.

G. M. Saltzgaber,
J. C. Fisher.

Mr. Fisher submitted the following report:

The standing committee on Railroads and Telegraphs, to whom was referred S. B. No. 167—To provide for the creation and regulation of telephone companies—

Having had the same under consideration, report it back, and recommend its passage.

J. C. Fisher, H. Sabine,
J. M. Carson, Thos. M. Beer,
Geo. P. Tyler.

Said bill was ordered to be engrossed, and read the third time tomorrow.

Bills were read the second time and referred as follows:

S. B. No. 171—Mr. Richards—To amend section 9 of an act entitled "An act supplementary to an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio," passed May 1, 1852; passed April 15, 1867, (S. & S., 186); as amended February 25, 1869, (O. L., vol. 66, p. 11); as amended April 20, 1874, (O. L., v. 71, p. 161); as amended April 11, 1876, (O. L., vol. 73, p. 188); as amended March 12, 1877, (O. L., vol. 74, p. 38); as amended March 20, 1878, (O. L., vol. 75).

To committee on Corporations other than Municipal.

S. B. No. 173—Mr. Johnston—Supplementary to an act entitled "An act to provide for the settlement of the accounts of trustees," passed April 2, 1873, (O. L., v. 70, p. 100).

To committee on Judiciary.

S. B. No. 174— Mr. Grove—To enable the commissioners of Montgomery county to purchase toll roads, and to convert the same into free roads.

To committee on Roads and Highways.

H. B. No. 336—Mr. Wales—To authorize the trustees of Salem township, Warren county, Ohio, to transfer certain funds therein named to the township fund of said township.

To committee on Finance.

H. B. No. 392—Mr. Swaim—To make temporary transfers, heretofore made by the county commissioners of Vinton county, permanent.

To committee on Finance.

H. B. No. 467—Mr. Washburn—To authorize the town council of Waverly, Pike county, to issue bonds and levy a tax.

To committee on Municipal Corporations.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 132—Mr. Wagener—To authorize the commissioners of Belmont county to levy a special tax for purposes therein named.

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Fisher, the Senate went into committee of the Whole, for the consideration of H. B. No. 433.

After some time spent therein, arose, reported progress, and asked leave to sit again.

Which was granted.

On motion of Mr. Fisher, the Senate took a recess.

THREE O'CLOCK P. M.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 386—Mr. Quinby—To authorize the trustees of Richland township, Clinton county, Ohio, to transfer certain funds therein named.

H. B. No. 280—Mr. Elliott—To retain a special school district in Brown township, Delaware county, Ohio.

H. B. No. 417—Mr. Sullivan of Hamilton—To authorize the trustees of Spencer township, Hamilton county, Ohio, to sell and convey a certain tract of land, and to re-invest the proceeds.

H. B. No. 437—Mr. Achauer—Authorizing the county commissioners of Muskingum county, Ohio, to levy an additional tax.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bill has been introduced in the House of Representatives and read the first time:

H. B. No. 498—Mr. Foster—To amend an act entitled "An act to provide for the creation and regulation of fishing associations in the State

of Ohio, and supplementary to an act to provide for the creation and regulation of incorporated companies in the State of Ohio," passed May 1, 1852.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 354—Mr. Dodds—To create a special school district in Sycamore township, Hamilton county, Ohio.

H. B. No. 329—Mr. Eylar—To authorize the commissioners of Adams county to construct a free turnpike road from the terminus of the Russellville and Winchester free turnpike road, at the Brown county line, to the village of Winchester, in said county of Adams.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 112—Mr. Klimper—To amend section 15 of the act entitled "An act to create a board of public works in certain cities, having a population of 150,000 and upwards, at the last Federal census," passed March 17, 1876, and section 344 of the act entitled an act to provide for the organization and government of municipal corporations, passed May 7, 1869, as amended January 22, 1873.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives requests the appointment of a committee of conference to consider the difference existing between the two Houses on H. J. R. No. 23—Mr. Van Cleaf—In relation to contracts for the safe keeping of insane at Lucas county insane asylum.

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Fisher, the request of the House was acceded to, and the President appointed Messrs. Fisher, Seitz and Sabine as such conference committee on part of the Senate.

On demand of Mr. Seitz, a call of the Senate was had.

Messrs. Carlisle, Curtiss, Dungan, Forrest, Grove, Irvine, Joy, Krimmel, Marsh, Parker, Sherrick, Steedman, Stokes and Tyler were absent.

Mr. Seitz moved that the Sergeant-at-Arms be dispatched for absentees.

Which was agreed to.

Mr. Sabine moved that the Senate adjourn.

On which motion, the yeas and nays were demanded, taken and resulted—yeas 7, nays 8, as follows:

Those who voted in the affirmative were—

Messrs. Beer, Howland, Jackson of Clinton, Kelley, Richards, Sabine and Saltzgaber—7.

Those who voted in the negative were—

Messrs. Armstrong, Carson, Fisher, Jackson of Perry, Owens, Seitz, Wagener and Williams—8.

So the motion was disagreed to.

Mr. Beer moved that further proceedings under the call be dispensed with.

On which motion, the yeas and nays were demanded, taken and resulted—yeas 9, nays 6, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Howland, Jackson of Clinton, Kelley, Richards, Sabine, Saltzgaber and Wagener—9.

Those who voted in the negative were—

Messrs. Carson, Fisher, Jackson of Perry, Owens, Seitz and Williams—6.

So the motion was agreed to.

Mr. Kelley moved that the Senate adjourn.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 11, nays 7, as follows:

Those who voted in the affirmative were—

Messrs. Beer, Howland, Jackson of Clinton, Jackson of Perry, Kelley, Lord, Richards, Sabine, Saltzgaber, Steedman and Wagener—7.

Those who voted in the negative were—

Messrs. Armstrong, Carson, Fisher, Krimmel, Owens, Seitz and Williams—11.

So the motion was agreed to, and the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

TUESDAY, APRIL 16, 1878—10 O'CLOCK A. M.

The Senate met pursuant to adjournment.

The Journal was read and approved.

Leave of absence was asked and obtained for to-day, for the Second Assistant Sergeant-at-Arms.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has refused to concur in Senate amendment to—

H. B. No. 218—Mr. Booth—Providing for the payment of the cost of building levees to protect lands from overflowing in certain cases.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Krimmel moved that the Senate recede from its amendment to said bill.

On which motion the yeas and nays were taken and resulted—yeas 28, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—28.

So the motion was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 9—Mr. Joy—To authorize the board of county commissioners of Hancock county to levy a tax for the purpose of building a county jail—

With the following amendment—

In line 2 of section 2 strike out the word "levying" and insert "borrowing"—in which the concurrence of the Senate is requested.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Joy moved that the Senate concur in the House amendment to said bill.

On which motion the yeas and nays were taken, and resulted—yeas 25, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carson, Curtiss, Dungan, Fisher, Forrest, Irvine, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Richards, Sabine, Seitz, Sherrick, Tyler, Wagener, Williams and Wilson—25.

So the motion was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 449—Mr. Levering—To authorize the creation of a special school district in Canaan township, Morrow county.

H. B. No. 431—Mr. Fenton—To authorize the village of Archbold, Fulton county, Ohio, to transfer certain funds.

H. B. No. 474—Mr. Haley—To authorize the commissioners of Hardin county to increase the levy for county purposes, and to transfer certain funds therein named.

H. B. No. 391—Mr. Swaim—To authorize the trustees of Richland township, Vinton county, to levy an additional tax for township purposes.

H. B. No. 390—Mr. Swaim—To authorize the county commissioners of Vinton county to make an additional levy for county purposes.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

Substitute for S. B. No. 83—Mr. Johnston—Supplementary to an act entitled "An act supplementary to an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio, (O. L., v. 74, p. 38)—

With the following amendment—

In line 3 of the title of amended bill, after the word "creation" strike out "and incorporation"—in which the concurrence of the Senate is requested.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Johnston moved that the Senate concur in said House amendment.

On which motion, the yeas and nays were taken, and resulted—yeas 26, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Dungan, Fisher, Grove, Irvine, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Sabine, Seitz, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—26.

So said motion was agreed to.

Mr. Dungan submitted the following report:

The joint committee on Enrollment have examined and found correctly enrolled the following bill:

H. B. No. 181—To provide for the location, establishment and construction of a new ditch, in part, and the alteration, changing, widening, deepening and otherwise improving certain ditches, drains and water courses in the counties of Sandusky, Seneca and Wood, in the State of Ohio.

C. R. HARMON, R. G. RICHARDS,
WM. JESSUP, F. M. CARTER,
IRVINE DUNGAN, J. W. WASHBURN,
DUNCAN DOW, E. S. PERKINS.

Mr. Richards submitted the following report:

The joint committee on Enrollment have examined and found correctly enrolled the following bills:

H. B. No. 300—To authorize a contract with reference to a new school house.

H. B. No. 402—To authorize the trustees of the Presbyterian church

of New Concord, Muskingum county, Ohio, to convey to the Pleasant Hill cemetery grounds, owned by said church association.

WM. JESSUP, J. W. WASHBURN,
DUNCAN DOW, F. M. CARTER,
C. R. HARMON, R. G. RICHARDS,
J. R. JOHNSTON.

Mr. Richards submitted the following report:

The joint committee on Enrollment have examined and found correctly enrolled the following bill:

H. B. No. 340—Relating to incorporated villages which, by t e Federal census of 1870, had and by any subsequent Federal census may have, a population of 1,087.

J. W. WASHBURN, F. M. CARTER,
C. R. HARMON, R. G. RICHARDS,
WM. JESSUP, E. S. PERKINS,
J. R. JOHNSTON.

Mr. Richards submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bills:

H. B. No. 400—To authorize a temporary loan for street cleaning purposes in certain cities of the first class.

H. B. No. 434—To authorize the board of education of Chardon school district No. 1, in the county of Geauga, to issue bonds to cancel certain outstanding bonds, refund a school house debt and provide for payment of the same.

F. M. CARTER, J. W. WASHBURN,
J. R. JOHNSTON, C. R. HARMON,
WM. JESSUP, R. G. RICHARDS,
DUNCAN DOW.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 434—Mr. Hitchcock—To authorize the board of education of Chardon school district No. 1, in the county of Geauga to issue bonds to cancel certain outstanding bonds, refund a school house debt, and provide for payment of the same.

H. B. No. 400—Mr. Wright—To authorize a temporary loan for street cleaning purposes, in certain cities of the first class.

H. B. No. 340—Mr. Levering—Relating to incorporated villages having a population of 1,087, and no more, by the Federal census of 1870.

Attest: L. A. BRUNNER, *Clerk.*

The President, *pro tem.*, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 157—Mr. Foster—To prevent and punish fraud as to the making and sale of butter and cheese.

H. B. No. 465—Mr. Dempcy—To authorize the trustees of the township of Mayfield, Cuyahoga county, to transfer funds therein named.

H. B. No. 310—Mr. Washburn—To authorize the commissioners of Ross county to change the valuation in certain real estate for the purpose of taxation.

H. B. No. 468—Mr. Hitchcock—For the relief of B. W. Canfield, treasurer of Chardon township, Geauga county, Ohio.

H. B. No. 470—Mr. Townsend—To authorize the trustees of Athens township, Athens county, Ohio, to transfer money from the local bounty fund of said township to the road fund.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution in which the concurrence of the Senate is requested:

H. J. R. No. 19—Mr. Poe—To provide for the admittance of an insane person in the Cleveland hospital for the insane.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Seitz moved that said joint resolution be referred to the committee on Benevolent Institutions.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill in which the concurrence of the Senate is requested:

Substitute for H. B. No. 184—Mr. Klimper—To amend an act entitled "An act to amend section 9 of an act entitled an act to amend sections 24, 29, 39, 40, 41, 42, 44 and 45 of an act entitled an act for the assessment and taxation of property in this State, and for levying taxes thereon according to its true value in money," as amended April 7, 1863, passed and took effect May 8, 1868, and amended February 7, 1877, passed and took effect May 4, 1877.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 125—Mr. Parker—To authorize the council of the incorporated village of Norwalk to levy an additional tax for the general purpose fund of said village—

With the following amendment:
In line 8, of section 1, strike out the words "from and after and."
In which the concurrence of the Senate is requested.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Parker moved that the Senate concur in said House amendment.

On which motion the yeas and nays were taken, and resulted—yeas 29, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—29.

So the motion was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has appointed Messrs. Van Cleaf, Reed of Ross and Cowgill as a conference committee on the part of the House to consider the differences existing between the two Houses on—

H. J. R. No. 23—Mr. Van Cleaf—In relation to contract for the keeping of insane in Lucas county insane asylum.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 436—Mr. Groschner—To authorize the board of education of Napoleon, Henry county, to issue bonds for the redemption of maturing bonds already outstanding.

H. B. No. 380—Mr. Loder—To create a special school district in Delhi township, Hamilton county, Ohio.

Substitute for H. B. No. 296—Mr. Elliott—To repeal an act entitled "An act to create a subdivision in Thompson township, Delaware county, passed January 18, 1877, and to dissolve the sub-district created by said act." (Ohio Laws, volume 73, page 386.)

H. B. No. 381—Mr. Luccock—To authorize the board of school directors of the special school district, Jefferson township, Guernsey county, Ohio, to levy an additional tax.

Substitute for H. B. No. 439—Mr. Oglevee—To create a sub-school district in Madriver township, Clark county, Ohio.

H. B. No. 409—Mr. Norton—For the relief of Peter Weikert.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

Mr. Johnston presented the petition of E. Wade, and 73 other citizens of Bristolville, Trumbull county, praying for statutes to provide for submitting to a vote the option whether or not village councils shall prohibit by ordinances, places of notorious resort for tippling and intemperance.

Which was referred to the committee on Sanitary Laws and Regulations.

Mr. Johnston presented the petition of Evan Evans, and 99 other citizens of Withersfield, Trumbull county, praying for statutes submitting to a vote the option whether or not village councils shall prohibit by ordinances, places of notorious resort for tippling and intemperance.

Which was referred to the committee on Sanitary Laws and Regulations.

Mr. Johnston presented the petition of H. S. Starrett, and 116 other citizens of Liberty, Trumbull county, Ohio, praying for statutes for the submission of local option to incorporated villages whether or not village councils shall prohibit places of notorious resort for tippling and intemperance.

Which was referred to the committee on Sanitary Laws and Regulations.

Mr. Carlisle presented the petition of John B. Keller, and 182 other citizens of Fairfield county, praying for a change of location of the Claypool Feeder to the Hocking canal.

Which was referred to the committee on Public Works.

Mr. Sabine presented the petition of S. K. Dorman, and 345 other citizens of Stark county, asking for local option for villages.

Which was referred to the committee on Sanitary Laws and Regulations.

Mr. Sabine presented the petition of Albert King, and 130 other legal voters of Madison, Lake county, asking the submission by statutes to incorporated villages the option determined by vote of the qualified electors whether or not they require village councils to prohibit by ordinances, notorious resorts for tippling purposes.

Which was referred to the committee on Sanitary Laws and Regulations.

Mr. Sabine presented the petition of I. S. Ross, and 228 other citizens of the village of Bruceville, Trumbull county, asking the submission by statute to incorporated villages the option determined by vote of the qualified electors whether or not they require village councils to prohibit by ordinance, notorious resorts for tippling purposes.

Which was referred to the committee on Sanitary Laws and Regulations.

Bills were read the second time and referred as follows:

H. B. No. 386—Mr. Quinby—To authorize the trustees of Richland township, Clinton, county, Ohio, to transfer certain funds therein named.

To committee on Finance.

H. B. No. 280—Mr. Elliott—To retain a special school district in Brown township, Delaware county, Ohio.

To committee on Common Schools and School Lands.

H. B. No. 417—Mr. Sullivan of Hamilton—To authorize the trustees of Spencer township, Hamilton county, Ohio, to sell and convey a certain tract of land, and to reinvest the proceeds.

To committee on Judiciary.

H. B. No. 437—Mr. Achauer—Authorizing the county commissioners of Muskingum county, in the State of Ohio, to levy an additional poor tax.

To committee on Finance.

H. B. No. 354—Mr. Dodds—To create a special school district in Sycamore township, Hamilton county, Ohio.

To committee on Common Schools and School Lands.

H. B. No. 329—Mr. Eylar—To authorize the commissioners of Adams county to construct a free turnpike road from the terminus of the Russellville and Winchester free turnpike road, at the Brown county line, to the village of Winchester, in said county of Adams.

To committee on Railroads, Telegraphs and Turnpikes.

H. B. No. 112—Mr. Klimper—To amend section 15 of the act entitled "An act to create a board of public works in certain cities having a population of one hundred and fifty thousand and upwards at the last Federal census," passed March 17, 1876, and section 344 of the act entitled "An act to provide for the organization and government of municipal corporations," passed May 7, 1869, as amended January 22, 1873.

To select committee of four—the Senators from Hamilton county.

Mr. Joy moved that substitute for S. B. No. 135 be laid upon the table.

Which was agreed to.

S. B. No. 166—Mr. Sherrick—To repeal section 7, of chapter 5, of an act entiled "An act to amend, revise and consolidate the statutes relating to criminal procedure," passed May 5, 1877, (O. L., vol. 74, p. 340.)

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 12, nays 16, as follows:

Those who voted in the affirmative were—

Messrs. Beer, Carlisle, Carson, Dungan, Fisher, Grove, Jackson of Clinton, Kelley, Parker, Saltzgaber, Seitz and Sherrick—12.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Curtiss, Forrest, Irvine, Jackson of Perry, Johnston, Joy, Krimmel, Owens, Richards, Sabine, Steedman, Wagener, Williams and Wilson—16.

So the bill having failed to receive a constitutional majority was lost.

S. B. No. 155—Mr. Tyler—To protect more effectually the lives of railroad passengers from casualties by fire.

Was read the third time.

Mr. Tyler moved that the bill be laid upon the table.

Which was agreed to.

H. B. No. 355—Mr. Clough—To authorize the auditor of Butler county to pay a claim therein named.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 26, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Curtiss, Dungan, Fisher, Grove, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Marsh, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Wilson—26.

So the bill was passed. The title was agreed to.

H. B. No. 338—Mr. Foster—To authorize the Berea agricultural society to open streets through, to allot and sell or exchange certain lands.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley,

Krimmel, Marsh, Owens, Parker, Richards, Sabine, Saltzgaber, Steedman, Stokes, Tyler and Wilson—24.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 181—Mr. Dunham—To provide for the location, establishment and construction of a new ditch, in part, and the alteration, changing, widening, deepening and otherwise improving certain ditches, drains and water-courses in the counties of Sandusky, Seneca and Wood, in the State of Ohio.

H. B. No. 300—Mr. White—To authorize a contract with reference to a new school house.

H. B. No. 402—Mr. Achauer—To authorize the trustees of the Presbyterian church, of New Concord, Muskingum county, Ohio, to convey to the Pleasant Hill Cemetery Association, of Union township, of said county, certain cemetery grounds owned by said church association.

Attest: L. A. BRUNNER, *Clerk.*

The President *pro tem.*, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 103—Mr. Howland—To authorize the council of the village of Ashtabula, Ashtabula county, Ohio, to levy a tax, issue bonds, and raise funds for the improvement of Ashtabula harbor, in said village.

Attest: L. A. BRUNNER, *Clerk.*

S. B. No. 167—Mr. Sherrick—To provide for the creation and regulation of telephone companies.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 28, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Marsh, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Wilson—28.

Mr. Forrest voted in the negative—1.

So the bill was passed. The title was agreed to.

Mr. Sherrick submitted the following report:

The standing committee on Finance, to whom was referred S. B. No. 172—To authorize and require the commissioners of Athens county, Ohio, to build a court house—

Having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

Strike out the words "and require," in the title.

Strike out in section 1, lines 2 and 3, "and required."

Strike out in section 2, line 4, "eight per centum payable semi-annually," and insert "seven per centum payable annually."

J. Sherrick, Irvine Dungan,
H. W. Curtiss, H. C. Lord,
John Seitz, Thos. M. Beer.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 28, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Marsh, Owens, Parker, Richards, Sabine, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—28.

Mr. Carson voted in the negative—1.

So the bill was passed. The title was agreed to.

Mr. Beer submitted the fol'owing report:

The standing committee on Finance, to whom was referred H. B. No. 392—To make temporary transfers, heretofore made by the county commissioners of Vinton county, permanent—

Having had the same under consideration, report it back and recommend its passage.

J. M. Carson, J. Sherrick,
Irvine Dungan, John Seitz,
H. W. Curtiss.

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Curtiss submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 336--To authorize the trustees of Salem township, Warren county, Ohio, to transfer certain funds therein named to the township fund of said township—

Having had the same under consideration, report it back, and recommend its passage.

J. Sherrick, H. W. Curtiss,
Thos. M. Beer, Irvine Dungan.

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Richards submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 215—To authorize the council of the incorporated village of Leesburg, Highland county, to issue bonds and borrow money for the erection of public buildings, and to transfer certain funds for said purpose—

Having had the same under consideration, report it back, with following amendments, and recommend its passage when so amended:

Wherever the words "public building" or "buildings" occur in the bill strike them out and insert in their stead, "town hall," except in lines 4 and 5, in section 4.

In line 12, section 1, strike out the word "five" and insert "seven."

Theo. Marsh, G. W. Wilson,
R. G. Richards, G. A. Grove.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Benson submitted the following report:

The standing committee on Roads and Highways, to whom was referred H. B. No. 358—To authorize the commissioners of Defiance county, Ohio, to complete a bridge therein named—

Having had the same under consideration, report it back, and recommend its passage.

JOHN H. BENSON, B. W. CARLISLE,
J. B. WILLIAMS, J. C. MCDONALD,
C. S. PARKER, LINDSEY KELLEY.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Dungan submitted the following report:

The standing committee on Universities and Colleges, to whom was referred S. B. No. 77—To provide cheap books for the common schools of Ohio—

Having had the same under consideration, report it back without recommendation.

IRVINE DUNGAN, W. T. FORREST,
H. W. CURTISS, G. W. WILSON,
JOHN IRVINE.

Said bill was ordered to be engrossed and read the third time on Thursday next.

Mr. Dungan submitted the following report:

The standing committee on Universities and Colleges, to whom was referred H. B. No. 103—To better regulate the Ohio Agricultural and Mechanical College, and to repeal certain acts therein named—

Having had the same under consideration, report it back, with the following substitute, and recommend the passage of the substitute:

A BILL

To reorganize and change the name of the Ohio Agricultural and Mechanical College, and to repeal certain acts therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the educational institution heretofore designated as the Ohio Agricultural and Mechanical College, shall be known and designated hereafter as "The Ohio State University."

SEC. 2. The government of said university shall be vested in a board of seven trustees, who shall be appointed by the Governor of the State, with the advice and consent of the Senate; but no trustee, or his relation by blood or marriage, shall be eligible to any professorship or position in the university, the compensation for which is payable out of the State Treasury, or said college fund.

SEC. 3. The members of said board of trustees, and their successors, shall hold their offices for the term of seven years each; Provided, that the trustees first appointed under the provisions of this act, shall hold their terms for one, two, three, four, five, six and seven years, respectively, to be fixed by the Governor in their commissions. In case a vacancy shall occur from death or other cause, the appointment shall be for the unexpired term. The trustees shall not receive any compensa-

tion for their services, but they shall be paid their reasonable and necessary expenses while engaged in the discharge of their official duties.

SEC. 4. The board of trustees shall have power, and it is made their duty, to collect, or cause to be collected, specimens of the various cereals, fruits and other vegetable products, and to have experiments made in their reproduction upon the lands of the university, and to make report of the same, from year to year, together with such other facts as may tend to advance the interests of agriculture.

SEC. 5. The board of trustees shall have power, and it is hereby made their duty, to secure and keep in the said university a collection of specimens in mineralogy, geology, zoology, botany, and other specimens pertaining to natural history and the sciences; and it shall be the duty of the president of the university to collect and deposit in the said university, in such manner as shall be directed by the trustees, a full and complete set of specimens as collected by him and his assistants, together with a brief description of the character of the same, and where obtained; and the said specimens shall be properly classified and kept for the benefit of said university.

SEC. 6. The first meeting of the members of the board shall be called by the governor, as soon after the appointment of said board as convenient, to be held at said university, in Columbus, Ohio. All succeeding meetings shall be called in such a manner, and at such times, as the board may prescribe. The said board shall meet at least three times, annually, and at such other times as they may think necessary for the best interest of the said university. A majority of the board of trustees present at any meeting shall constitute a quorum to do business; provided, a majority of all the board shall be required to elect or remove a president or professor.

SEC. 7. The board of trustees shall cause to be made, on or before the first day of January of each year, a report to the governor of the condition of said university; the amount of receipts and disbursements, and for what the disbursements were made; the number of professors, officers, teachers, and other employes, and the position and compensation of each; the number of students in the several departments and classes, and the course of instruction pursued in each; also, an estimate of the expenses for the ensuing year; a statement showing the progress of said university, recording any improvements and experiments made, with their costs, and the results, and such other matters as may be supposed useful. There shall be printed, under the provisions of section 7 of the act passed March 30, 1875, (O. L., vol. 72, p. 179), in pamphlet form, 1,000 copies of said report for the General Assembly, 1,000 for the president and faculty of said college, and 3,000 copies for distribution by the trustees in their several districts, in such manner as they shall deem best for the interests of said university. The president of said university shall transmit by mail one copy to the Secretary of the Interior, and one copy to each of the colleges which are or may be endowed under the provisions of the act of Congress of July 2, 1862.

SEC. 8. All funds derived from the sale of land scrip issued to the State of Ohio by the United States, in pursuance of the aforesaid act of Congress, together with the interest accumulated thereon, shall constitute a part of the irreducible debt of the State, the interest upon which, as provided by the act of February 10, 1870, (O. L., v. 67, p. 15), shall be paid to the university by the Auditor of State, upon the requisition of

the Commissioners of the Sinking Fund, issued on the certificate of the secretary of the board of trustees, that the same has been appropriated by said trustees to the endowment, support and maintenance of the university, as provided in the act of Congress aforesaid.

SEC. 9. That the said board of trustees shall fix the compensation for the faculty, teachers and all other employes of the university; provided, that the compensation for the services of the president of said university shall not exceed $3,000, and that of the professors $2,500.

SEC. 10. It shall be the duty of the board of trustees to provide for the teaching of such branches of learning as are related to agriculture and the mechanic arts, and military tactics, and such other scientific and classic studies as the resources of the fund will permit; but no student will be required to study military tactics or take part in military drill, or provide any military or particular uniform, except those who study military tactics.

SEC. 11. That the act passed April 20, 1877, (O. L., v. 74, p. 100), entitled "An act to regulate the Ohio Agricultural and Mechanical College in Ohio, and to repeal certain acts therein named," and all parts of acts repealed by said act, and all other acts inconsistent with the provisions of this act, are hereby repealed.

SEC. 12. This act shall take effect and be in force from and after its passage.

IRVINE DUNGAN, W. T. FORREST,
H. W. CURTISS, JOHN IRVINE,
G. W. WILSON, B. W. CARLISLE.

Said substitute was laid upon the table and ordered to printed in advance of other matter.

Mr. Dungan submitted the following report:

The standing committee on Corporations other than Municipal, to whom was referred S. B. No. 171—To amend section 9 of an act entitled "An act supplementary to an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio," passed May 1, 1852; passed April 15, 1867, (S. & S. 186); as amended February 25, 1869, (O. L., v. 66, p. 11); as amended April 20, 1874, (O. L., v. 71, p. 161); as amended April 11, 1876, (O. L., v. 73, p. 188); as amended March 12, 1877, (O. L., v. 74, p. 38); as amended March 28, 1878, (O. L., vol. 75)—

Having had the same under consideration, report it back and recommend its passage.

IRVINE DUNGAN, R. G. RICHARDS,
J. R. JOHNSTON, LYMAN J. JACKSON.

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 26, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Jackson of Clinton, Jackson of Perry, Kelley, Owens, Parker, Richards, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—26.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to—

H. B. No. 355—Mr. Clough—To authorize the auditor of Butler county to pay a claim named therein.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 440—Mr. Hayman—To authorize the commissioners of Scioto county, to borrow money on the bonds of the county, to discharge the existing liabilities of said county, now in the shape of turnpike floating orders.

H. B. No. 458—Mr. Hayman—To authorize the commissioners of Scioto county to purchase toll road, and levy tax to pay for same.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 109—Mr. Armstrong—To authorize the Clough creek turnpike company to take possession of a county dirt road, and to extend its road from the east line of Hamilton county, to the Mt. Carmel and nine mile turnpike, in Clermont county.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 129—Mr. Fisher—To authorize the council of the village of Coshocton to transfer certain funds mentioned therein.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 372—Mr. Parker—For the relief of W. J. Jacobs.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 445—Mr. Dunham—To authorize the council of the incorporated village of Clyde to issue bonds to purchase steam fire engine and fire apparatus.

H. B. No. 290—Mr. Achauer—Supplementary to an act entitled "An act to provide for the organization and government of municipal corporations," passed May 7, 1869, (66 O. L., p. 149, etc.)

H. B. No. 388—Mr. Foster—To amend the third section of an act passed April 6, 1876, entitled "An act supplementary to an act supplementary to an act to provide for the organization and government of municipal corporations," passed April 27, 1872, (v. 73, p. 108).

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 124—Mr. Tyler—To authorize the commissioners of Brown county, Ohio, to construct a free turnpike road, from the terminus of the Ripley and Hillsborough free turnpike road, to the Highland county line—

With the following amendments—

Amend the title by adding after the last line "also from the terminus of the Mt. Orab and Benton free turnpike road, via Greenbush, to the terminus of the Fayetteville and Chasetown free turnpike."

In section 1 add after the last line "also from the terminus of Mt Orab and Benton free turnpike road, via of Greenbush, to the terminus of the Fayetteville and Chasetown free turnpike road"—

In which the concurrence of the Senate is requested.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Tyler moved that the Senate concur in the House amendments to said bill.

On which motion the yeas and nays were taken, and resulted—yeas 23, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Marsh, Owens, Parker, Richards, Sherrick, Stokes, Tyler, Williams and Wilson—23.

So the motion was agreed to.

Mr. Fisher, on leave, introduced the following bill, which was read the first time:

S. B. No. 175—To regulate loans by agricultural societies.

On motion of Mr. Seitz, the Senate took a recess.

THREE O'CLOCK P. M.

Mr. Saltzgaber offered the following resolution, which was adopted:

S. R. No. 51—*Be it resolved by the Senate*, That in the consideration of any bill embodying matter prepared by the commission to revise the general statutes, after such bill has been fully considered in committee of the whole, no member shall speak more than twice nor longer than five minutes on any proposed amendment or single proposition connected therewith.

Mr. Fisher moved that the Senate proceed to the consideration of S. B. No. 115.

Which was agreed to.

The question beine on agreeing to the proposed amendment to said bill, as reported by the committee of the whole.

The same was agreed to.

The question then being on agreeing to amendment No. 3 to said bill, as reported by the committee of the whole.

The same was agreed to.

The question then being on agreeing to amendment No. 4 to said bill, as reported by the committee of the whole.

The same was agreed to.

The question then being on agreeing to amendment No. 5 to said bill, as reported by the committee of the whole.

The same was agreed to.

The question then being on agreeing to amendment No. 6 to said bill, as reported by the committee of the whole.

Mr. Beer moved to amend said amendment by inserting before the word "between" the words "at the clerk's office."

Which was agreed to.

Said amendment as amended was then agreed to.

The question then being on agreeing to amendment No. 7 to said bill, as reported by the committee of the whole.

The same was agreed to.

The question then being on agreeing to amendment No. 8 to said bill, as reported by the committee of the whole.

The same was rgreed to.

Amendments Nos. 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24 and 25, as reported by the committee of the whole, were agreed to.

Mr. Sherrick moved to reconsider the vote whereby amendment No. 18 to said S. B. No. 115 was agreed to.

Which was agreed to.

The question recurring on agreeing to said amendment—

Mr. Wilson moved to substitute the following:

In division 5, chapter 1, section 32, in line 2, strike out the words "at the court house."

In line 3, after the word "situated,', insert, "and at the court house, unless otherwise ordered by the court."

Also, strike out, commencing with the word "but," in line 3, to and including the word "title," in line 5.

Which was agreed to.

Mr. Dungan moved to amend said substitute as follows:

Insert after the word "court" the words "upon application of the judgment debtor."

Which was disagreed to.

Said substitute was then agreed to.

Mr. Forrest submitted the following report:

The committee of conference, to whom was referred the subject matter of difference between the two Houses upon House amendment to S. B. No. 90, have had the same under consideration, and recommend that the Senate concur in House amendment to said bill.

W. T. Forrest,
James B. Steedman,
H. W. Curtiss,
Senate Committee.

J. F. Oglevee,
James A. Norton,
J. M. Bull,
House Committee.

On which the veas and nays were taken, and resulted—yeas 28, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Forrest, Grove, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, Owens. Parker, Richards, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—28.

So said motion was agreed to.

Mr. Wilson moved that S. B. No. 115 be engrossed and read the third time now.

Which was agreed to.

Mr. Steedman moved to amend said bill by striking out, in line 7, section 20, division 5, chapter 1, page 129, the words "two-thirds of;"

Mr. Forrest moved to substitute the following for said amendment:

After the word "but," insert the words "within the next two years," and to strike out "two-thirds of," and insert after the word "than" the words "the appraised."

Which was agreed to.

The question being on agreeing to said amendment as amended, the yeas and nays were demanded, taken and resulted—yeas 11, nays 13, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Forrest, Irvine, Joy, Kelley, Lord, McDonald, Steedman, Tyler and Williams—11.

Those who voted in the negative were—

Messrs. Carson, Grove, Jackson of Clinton, Johnston, Krimmel, Marsh, Owens, Parker, Richards, Saltzgaber, Sherrick, Wagener and Wilson—11.

So the amendment was disagreed to.

Mr. Johnston submitted the following report:

The joint committee on Enrollment have examined and found correctly enrolled the following bill:

H. B. No. 208—To authorize the board of county commissioners of Franklin county to construct bridges across the Scioto river at points therein named.

Wm. Jessup,
F. M. Carter,
C. R. Harmon,
R. G. Richards,
J. W. Washburn,
D. Dow,
C. F. Krimmel,
J. R. Johnston.

Mr. Seitz moved to amend S. B. No. 115 as follows:

In line 2, section 20, chapter 1, division 5, strike out the words "two-thirds" and insert "three-fourths."

In line 7, same section, strike out "two-thirds" and insert "three-fourths."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 9, nays 15, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Forrest, Joy, Lord, McDonald, Seitz, Steedman, Tyler and Williams—9.

Those who voted in the negative were—

Messrs. Beer, Carson, Grove, Irvine, Jackson of Clinton, Johnston, Kelley, Marsh, Owens, Parker, Richards, Saltzgaber, Sherrick, Wagener and Wilson—15.

So the motion was disagreed to.

Mr. Johnston moved to amend said S. B. No. 115 as follows:

Section 3, chapter 3, division 3, (p. 84), in line 4, after the word "grantee," insert the word "assignee."

After the word "grantor," in line 3 of subdivision one, insert the word "assignor."

Strike out subdivision two and insert in lieu thereof the following:

2. In action upon contracts made by deceased persons through agents, and in which the agent shall testify, at the request of either party, a party may testify to all that transpired between him and the agent in relation to such contract and the making thereof, and in relation to any conversations or transactions between himself and such agent, testified to by the agent, and where the contract was made or conversations had solely with the agent, and such agent is living and competent to testify, the party may testify to all matters relating thereto.

Said amendments were agreed to.

Mr. Johnston moved that the further consideration of S. B. No. 115 be postponed until to-morrow afternoon at 3 o'clock, and made the special order for that hour.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 499—Mr. Booth—To amend section thirty of an act entitled "An act to amend sections 1, 3, 8, 14, 16, 19, 26 and 30, of an act to authorize the boards of county commissioners to lay out and establish free turnpike roads, and to repeal certain acts therein named," passed and took effect March 29, 1875; passed March 28, 1876, (O. L., vol. 73, p. 96).

H. B. No. 500—Mr. Greene—To amend section 2 of chapter 4, title 3, criminal procedure.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has agreed to the report of the committee of Conference on—

S. B. No. 90—Authorizing the sale of railroads in certain cases.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Saltzgaber submitted the following report:

The committee on Revision has examined and found correctly engrossed H. B. No. 215.

G. M. SALTZGABER,
G. W. WILSON.

Mr. Wilson submitted the following report:

The committee on Revision has examined and found correctly engrossed, S. B. No. 171.

G. W. WILSON,
G. M. SALTZGABER,
J. M. CARSON.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following, in which the concurrence of the Senate is requested:

Sub. for S. B. No. 97—Mr. Marsh—To amend an act authorizing township trustees to levy a tax to purchase a site and erect a township hall thereon, passed May 6, 1869, (O. L., vol. 66, p. 120,) as amended April 18, 1874, (O. L., vol. 71, p. 95,) as amended April 11, 1876, (O. L., vol. 73, p. 203).

Attest: L. A. BRUNNER, *Clerk.*

Mr. Marsh moved that the Senate concur in said substitute.

On which motion the yeas and nays were taken and resulted--yeas 20, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Carson, Curtiss, Dungan, Forrest, Grove, Johnston, Krimmel, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Sherrick, Tyler, Wagener, Williams and Wilson—20.

So the motion was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 99—Mr. Bull—To establish a voting precinct in the townships of Hanover and Green, in the county of Ashland, Ohio.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 481—Mr. Townsend—To provide for the recording, in book form, of the military record of all persons who served in the army of the United States in the war of the rebellion, which began April, A. D. 1861, and who were accredited to the State of Ohio as soldiers, and supplementary to an act entitled "An act appropriating money to pay for transcribing certain muster rolls of Ohio volunteers into permanent records, and for obtaining information in regard to Union Soldiers' graves, and providing for a suitable head-stone," passed May 7, 1877.

H. B. No. 462—Mr. Cowgill—To authorize township trustees to procure, by purchase or otherwise, material for road purposes.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested.

H. B. No. 403—Mr. Alexander—Making appropriations for the fiscal year 1878, and the first quarter of the fiscal year 1879.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

On motion of Mr. Johnston, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

WEDNESDAY, APRIL 17, 1878—10 O'CLOCK A. M.

The Senate met pursuant to adjournment.

Prayer by Rev. James Poindexter.

The Journal was read and approved.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has reconsidered the vote by which—

H. B. No. 439—Mr. Oglevee—To create a special school district in Madison township, Clark county—

Was passed, and requests the return of the bill to the House.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Curtiss moved that the Senate accede to the request of the House, and return said bill.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the adoption of the following joint resolutions:

S. J. R. No. 35—Mr. Parker—Directing the Treasurer of State to correct a certain mistake made by the treasurer of Huron county.

S. J. R. No. 31—Mr. Johnston—Providing for the printing and distributing of the fifth volume of the final report of the Geological Corps of Ohio.

Attest: L. A. BRUNNER, *Clerk.*

The President appointed Messrs. Krimmel, Beebe and Seitz as a conference committee on S. B. No. 94, on part of the Senate.

Mr. Sabine presented the petition of Albert Fowler and 128 other citizens of Newton Falls, Trumbull county, asking the submission, by statutes, to incorporated villages, the option determined by vote of the qualified electors, whether or not they require village councils to prohibit by ordinances, notorious resorts for tippling purposes.

Which was referred to the committee on Sanitary Laws and Regulations.

Mr. McDonald presented the petition of R. F. Dickey, and 31 other citizens of Ross county, praying for the enactment of a law requiring the criminal code and the constitution of Ohio to be taught in our common schools.

Which was referred to committee on Common Schools and School Lands.

Mr. Sabine presented the petition of L. D. McCabe and 106 other citizens of Delaware county, praying for local option for villages.

Which was referred to the committee on Sanitary Laws and Regulations.

Mr. Sabine presented the petition of D. O. Ghormlay and 81 other citizens of Cortland, praying for statutes for the submission of local option to incorporated villages, whether or not village councils shall prohibit places of notorious resort for tippling and intemperance.

Which was referred to the committee on Sanitary Laws and Regulations.

Bills were read the second time and referred as follows:

H. B. No. 431—Mr. Fenton—To authorize the village of Archbold, Fulton county, Ohio, to transfer certain funds.

To committee on Finance.

H. B. No. 390—Mr. Swaim—To authorize the county commissioners of Vinton county to make an additional levy for county purposes.

To committee on Finance.

H. B. No. 449—Mr. Levering—To authorize the creation of a special school district in Canaan township, Morrow county.

To committee on Common Schools and School Lands.

H. B. No. 474—Mr. Haley—To authorize the commissioners of Hardin county to increase the levy for county purposes, and to transfer certain funds therein named.

To committee on Finance.

H. B. No. 381—Mr. Swaim—To authorize the trustees of Richland township, Vinton county, to levy an additional tax for township purposes.

To committee on Currency.

H. B. No. 157—Mr. Foster—To prevent and punish fraud as to the making and sale of butter and cheese.

To committee on Sanitary Laws and Regulations.

H. B. No. 465—Mr. Dempcy—To authorize the trustees of the township of Mayfield, Cuyahoga county, to transfer funds therein named.

To committee on Finance.

H. B. No. 310—Mr. Washburn—To authorize the commissioners of Ross county to change the valuation on certain real estate for the purpose of taxation.

To committee on Finance.

H. B. No. 468—Mr. Hitchcock—For the relief of B. W. Canfield, treasurer of Chardon township, Geauga county, Ohio.

To committee on Finance.

H. B. No. 470—Mr. Townsend—To authorize the trustees of Athens township, Athens county, Ohio, to transfer money from the local bounty fund of said township to the road fund.

To committee on Finance.

Substitute for H. B. No. 184—Mr. Klimper—To amend an act entitled "An act to amend section 9 of an act entitled an act to amend sections 24, 29, 39, 40, 41, 42, 44, and 45 of an act entitled an act for the assessment and taxation of property in this State, and for levying taxes thereon, according to its true value in money, as amended April 7, 1863," passed and took effect May 8, 1868, and amended Eebruary 7, 1877, passed and took effect May 4, 1877.

To committee on Municipal Corporations.

H. B. No. 436—Mr. Groschner—To authorize the board of education of Napoleon, Henry county, to issue bonds for the redemption of maturing bonds already outstanding.

To committee on Finance.

H. B. No. 380—Mr. Loder—To create a special school district in Delhi township, Hamilton county, Ohio.

To committee on Common Schools and School Lands.

Substitute for H. B. No. 296—Mr. Elliott—Supplementary to an act entitled "An act to create a sub-division in Thompson township, Delaware county," passed January 18, 1877, (O. L., v. 74, p. 386).

To committee on Common Schools and School Lands.

H. B. No. 381—Mr. Luccock—To authorize the board of school directors of the special school district, Jefferson township, Guernsey county, Ohio, to levy an additional tax.

To committee on Common Schools and School Lands.

H. B. No. 409—Mr. Norton—For the relief of Peter Weikert.

To committee on Finance.

H. B. No. 458—Mr. Hayman—To authorize the commissioners of Scioto county to purchase toll-road, and levy tax to pay for same.

To committee on Roads and Highways.

H. B. No. 440—Mr. Hayman—To authorize the commissioners of Scioto county, to borrow money on the bonds of the county, to discharge the existing liabilities of said county, now in the shape of turnp ke floating orders.

To committee on Railroads, Telegraphs and Turnpikes.

H. B. No. 372—Mr. Parker—For the relief of W. J. Jacobs.

To committee on Common Schools and School Lands.

H. B. No. 445—Mr. Dunham—To authorize the council of the incor-

porated village of Clyde to issue bonds to purchase steam fire engine and fire apparatus.

To committee on Finance.

H. B. No. 290—Mr. Achauer—Supplementary to an act entitled "An act to provide for the organization and government of municipal corporations," passed May 7, 1869, (66 O. L., p. 149, etc.)

To committee on Municipal Corporations.

H. B. No. 388—Mr. Foster—To amend the third section of an act passed April 6, 1876, entitled an act supplementary to an act supplementary to an act to provide for the organization and government of municipal corporations, passed April 27, 1872, (v. 73, p. 108).

To committee on Finance.

S. B. No. 175—Mr. Fisher—To regulate loans by agricultural societies.

To committee on Agriculture.

H. B. No. 399—Mr. Bull—To establish a voting precinct in the townships of Hanover and Green, in the county of Ashland, Ohio, in which the incorporated village of Loudonville is the boundary of said asked for precinct and is situate therein, and all that portion of section 35, and all of section 36 not now included in said corporate limits, shall be a part of said precinct, for election purposes only.

To committee on Federal Relations.

H. B. No. 481—Mr. Townsend—To provide for the recording, in book form, of the military record of all persons who have served in the army of the United States in the war of the rebellion, which began April, A. D. 1861, and who were accredited to the State of Ohio as soldiers; and supplementary to an act entitled "An act appropriating money to pay for transcribing certain muster rolls of Ohio volunteers into permanent record, and for obtaining information in regard to Union soldiers' graves, and providing for a suitable head-stone." passed May 7, 1877.

To committee on Military Affairs.

H. B. No. 462—Mr. Cowgill—To authorize township trustees to procure, by purchase or otherwise, material for road purposes.

To committee on Roads and Highways.

H. B. No. 403—Mr. Alexander—Making appropriations for the fiscal year 1878, and the first quarter of the fiscal year 1879.

To committee on Finance.

Mr. Krimmel submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled the following bills:

S. B. No. 103—An act to authorize the council of the village of Ashtabula, Ashtabula county, Ohio, to levy a tax, issue bonds and raise funds for the improvement of Ashtabula harbor in said village.

S. B. No. 109—An act to authorize the Clough Creek turnpike company to take possession of a county dirt road, and to extend its road from the east line of Hamilton county to the Mt. Carmel and Nine Mile turnpike, in Clermont county.

S. B. No. 124—An act to authorize the commissioners of Brown county, Ohio, to construct a free turnpike road from the terminus of the Ripley and Hillsborough free turnpike road to the Highland county line, and to construct a free turnpike road from the terminus of the Arnheim free turnpike road, via Sardinia, to the Highland county line; also, from the terminus of the Mt. Orab and Benton free turnpike road, via Greenbush, to the terminus of the Fayetteville and Chasetown free turnpike road.

S. B. No. 129—An act to authorize the council of the village of Coshocton to transfer certain funds mentioned therein.

C. F. KRIMMEL, R. G. RICHARDS,
IRVINE DUNGAN, J. R. JOHNSTON,
WM. JESSUP, J. W. WASHBURN.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution in which the concurrence of the Senate is requested:

H. J. R. No. 28—Mr. Bull—Instructing the board of directors of the Ohio penitentiary to employ an architect to estimate the cost of certain repairs in said institution.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Fisher moved that said joint resolution be referred to the committee on Penitentiary.

Which was agreed to.

Mr. Krimmel submitted the following report:

The committee of Conference, appointed on H. B. No. 22—Mr. Dalzell—having had under consideration the differences between the two Houses upon said bill, report that they are unable to agree, and ask that a further committee of conference be appointed.

C. F. KRIMMEL,
JAMES W. OWENS,
H. W. CURTISS.
Senate Committee.
J. M. DALZELL,
J. MEUSER.
House Committee.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

H. B. No. 208—Mr. White—To authorize the board of county commissioners of Franklin county to construct bridges across the Scioto river at points therein named.

Attest: L. A. BRUNNER, *Clerk.*

The President *pro tem.*, in presence of the Senate, signed said bill.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has appointed Messrs. Bohl, Hostetter and Monahan, a committee of conference on the part of the House, on the differences existing between the two Houses on—

S. B. No. 94—Mr. Carlisle—For the better regulation and management of imbecile asylums.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 41—Mr. Booth—To amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one, of the act to revise and consolidate the general statutes of Ohio.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Fisher moved that the constitutional rule requiring bills to be read in full on three different days be suspended, that H. B. No. 41 may be read the first time by its title.

On which motion the yeas and nays were taken, and resulted—yeas 32, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—32.

So the motion was agreed to, and said bill was read the first time by its title.

S. B. No. 15—Mr. Johnston—Authorizing the formation of partnership associations in which the capital subscribed shall alone be responsible for the debts of the association, except under certain circumstances.

Was read the third time.

Mr. Johnston moved to refer the bill to a select committee of one, with instructions to amend as follows:

Between the words "occupation" and "within," in line 3, of section 1, insert the following: "except banking or insurance."

At the close of section 1 add the following: "and a further statement of the property and assets of said association shall be made annually by the treasurer thereof, and filed in the office of said recorder."

In line 3, section 12, between the words "name" and "that," insert "by the secretary thereof."

Which was agreed to, and Mr. Johnston was appointed such committee.

Mr. Johnston, on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No. 15, with instructions to amend, reports the same back amended as instructed.

J. R. JOHNSTON.

Mr. Jackson of Perry moved that said bill be laid upon the table.

Which was agreed to.

H. B. No. 392—Mr. Swaim—To make temporary transfers, heretofore made by the county commissioners of Vinton county, permanent.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 26, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Lord, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener Williams and Wilson—26.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE GOVERNOR.

STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 17th day of April, 1878.

To the Senate:

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint—

William T. Higgins, of Richland county, to be Register of Virginia military school lands.

Very respectfully, RICHARD M. BISHOP, *Governor.*

Mr. Johnston moved that said message be referred to the committee on Common Schools and School Lands.

Which was disagreed to.

Mr. Forrest moved that said message be referred to the committee on Federal Relations.

Which was agreed to.

Mr. Richards submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled the following bill:

S. B. No. 90—To authorize the sale of railroads in certain cities.

IRVINE DUNGAN, R. G. RICHARDS,
C. F. KRIMMEL, J. R. JOHNSTON,
J. W. WASHBURN, WM. JESSUP.

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 17TH DAY OF APRIL, 1878.

To the General Assembly:

I have the honor to transmit herewith a second report from the commission appointed under an act entitled "An act to inquire into the causes of, and means of prevention and cure of diseased animals," passed April 19, 1877, (O. L., vol. 74, pages 89 and 90.)—

And respectfully request your attention thereto. There being but one copy of the same submitted to this department, it is sent to the House of Representatives.

Very respectfully, RICHARD M. BISHOP, *Governor.*

Mr. Richards moved that the communication be referred to the committee on Agriculture.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

S. B. No. 124—Mr. Tyler—To authorize the commissioners of Brown county, Ohio, to construct a free turnpike road from the terminus of the Ripley and Hillsborough free turnpike road to the Highland county line.

S. B. No. 103—Mr. Howland—To authorize the council of the village of Ashtabula, Ashtabula county, Ohio, to levy a tax, issue bonds and raise funds for the improvement of Ashtabula harbor, in said village.

S. B. No. 109—Mr. Armstrong—To authorize the Clough creek turnpike company to take possession of a county dirt road, and to extend its road from the east line of Hamilton county to the Mt. Carmel and Nine Mile turnpike, in Clermont county.

S. B. No. 129—Mr. Fisher—To authorize the council of the village of Coshocton to transfer certain funds mentioned therein.

Attest: L. A. BRUNNER, *Clerk.*

The President *pro tem.*, in presence of the Senate, signed said bills.

H. B. No. 336—Mr. Wales—To authorize the trustees of Salem township, Warren county, Ohio, to transfer certain funds therein named, to the township fund of said township.

Was read the third time.

Mr. Stokes moved that the bill be referred to a select committee of one, with instructions to amend as follows:

In line 4, section 1, strike out "Town Hall," and insert instead thereof "Township House."

Which was agreed to, and Mr. Stokes was appointed such committee.

Mr. Stokes, on leave, submitted the following report:

The select committee of one, to whom was referred H. B. No. 336, with instructions to amend, reports the same back amended as instructed.

W. H. STOKES.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 26, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Jackson of Clinton, Jackson of Perry, Johnston, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—26.

So the bill was passed. The title was agreed to.

H. B. No. 215—Mr. Dawson—To authorize the council of the incorporated village of Leesburg, Highland county, to issue bonds and borrow money for the erection of public buildings, and to transfer certain funds for said purpose.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 26, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Jackson of Clinton, Jackson of Perry, Johnston, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener, Williams andWilson—26.

So the bill was passed. The title was agreed to.

H. B. No. 358—Mr. Hardy, of Defiance—To authorize the commissioners of Defiance county, Ohio, to complete a bridge therein named.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Jackson of Clinton, Jackson of Perry, Johnston, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Tyler, Wagener, Williams and Wilson—24.

So the bill passed. The title was agreed to.

On motion of Mr. Jackson, of Perry, the Senate took a recess.

THREE O'CLOCK P. M.

On motion of Mr. Fisher the Senate proceeded to the consideration of the special order of the hour, viz:

S. B. No. 115—Mr. Forrest—To revise and consolidate the laws relating to civil procedure in courts of common pleas and superior courts, and in district courts on appeal.

Mr. Saltzgaber moved to amend said bill as follows:

In line 5, section 9, chapter 5, division 2, page 22, strike out the words "may be," and insert in lieu thereof the word "is."

Which was agreed to.

Mr. Jackson, of Perry, moved to further amend said bill as follows:

Strike out subdivision 8, section 3, chapter 3, page 85, and insert the following:

8. If a party whose deposition has been taken, die, the opposite party may testify as to all competent matters therein.

Pending which—

Leave of absence was asked and obtained for Messrs. Lord, Sabine and Howland for this afternoon.

On demand of Mr. Jackson, of Perry, a call of the Senate was had.

Messrs. Joy, Krimmel, Parker and Jackson of Clinton were absent.

Leave of absence was asked and obtained for Mr. Jackson, of Clinton, for this afternoon.

On motion of Mr. Forrest, the Sergeant-at-Arms was dispatched for absentees.

Mr. Parker having appeared within the bar of the Senate and answered to his name—

On motion of Mr. Richards, further proceedings under the call were dispensed with.

The question recurring on Mr. Jackson's motion to amend S. B. No 115—

The yeas and nays were demanded, taken, and resulted—yeas 18, nays 5, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Grove, Irvine, Jackson of Perry, Johnston, Kelley, McDonald, Richards, Seitz, Steedman, Williams and Wilson—18.

Those who voted in the negative were—

Messrs. Armstrong, Dungan, Forrest, Owens and Wagener—5.

So the motion was agreed to.

Mr. Wilson moved to amend said bill as follows:

In division 5, chapter 1, section 22, (pp. 129 and 130,) after the word "weekly," in line 16, insert the following:

Or in case the lands and tenements taken in execution are located in any city of the first or second class in this State, and there shall be published both a daily and weekly edition of the newspaper selected for such advertisement, and the circulation of the daily in the city of the first or

second class in which such lands or tenements are situate, shall exceed that of the weekly.

Which was agreed to.

Mr. Jackson, of Perry, moved to amend said bill as follows:

Add to section 4, page 85, the words: "But the deposition of a party shall not be taken by the adverse party except by leave of the court or judge, granted upon specific cause."

Which was disagreed to.

Mr. Dungan moved to further amend said bill as follows:

Paragraph 7, of section 3, after the word "proved," in second line, insert "by either party."

Which was agreed to.

Mr. Johnston moved that amendment No. 16, as reported by the committee of the Whole, to said bill, be amended by adding the following:

And the giving of such bail shall operate as a discharge of the lien created by said judgment.

Which was agreed to.

Said bill (S. B. No. 115,) was then read the third time.

Mr. Forrest moved that said bill be laid upon the table.

Which was agreed to.

Mr. Forrest moved to reconsider the vote whereby S. B. No. 115 was laid upon the table.

Which was agreed to.

Mr. Krimmel moved to refer the bill to a select committee of one, with instructions to amend as follows:

Page 130,chapter 1,division 5,section 23,after the word "therein," strike out the words "the court," and strike out after the word "dollars," in lien four, the words "if satisfied that it will be for the benefit of the parties interested, shall, upon the motion of a party to the suit interested in the property to be sold."

Strike out of same section, after the word "section," in line 7, the words "order to," and insert the word "shall," and the words," "provided such German newspaper shall issue every week at least 500 copies, and said notice shall be published in such German newspaper in the same manner and for the same time that said notices are now by law required to be made and published; but no error or mistake in the contents of such notice, or the translation of the same, shall delay the proceedings in court, or affect the title to such property sold, and should errors of the character above named occur by negligence or mistake of such publisher, in any such advertisement so published, the publisher shall not be entitled to receive pay for the publication thereof, and provided that the court shall, on motion of defendant, or may, upon good cause being shown, dispense with said advertisement in such German newspaper.

On which motion the yeas and nays were demanded, taken and resulted—yeas 6, nays 22, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Dungan, Forrest, Irvine, Krimmel and Steedman—6.

Those who voted in the negative were.

Messrs. Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Marsh, McDonald, Owens, Richards, Saltzgaber, Seitz, Sherrick, Tyler, Wagener, Williams and Wilson—22.

So the motion was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 27, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Fisher, Forrest, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Saltzgaber, Seitz, Sherrick, Tyler, Wagener, Williams and Wilson—27.

Mr. Steedman voted in the negative—1.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

S. B. No. 90—Mr. Steedman—To authorize the sale of railroads in certain cases.

H. B. No. 218—Mr. Booth—Providing for the payment of the cost of building levees to protect lands from overflow in certain cases.

H. B. No. 355—Mr. Clough—To authorize the auditor of Butler county to pay a claim named therein.

H. B. No. 338—Mr. Foster—To authorize the "Berea Agricultural Society" to open streets through, to allot and sell or exchange certain lands.

Attest: L. A. BRUNNER, *Clerk.*

The President *pro tem.*, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 126—Mr. Lord—Supplementary to the act relating to cities of the first class, having a population exceeding 150,000 inhabitants, passed May 4, 1869—

With the following amendments, in which the concurrence of the Senate is requested:

In line 24, section 1, strike out all after the word "act," and all of line 25 and line 26 to the word "thereto," inclusive.

Also, in line 40, same section, strike out the words "at the northern terminus of said road, or in the vicinity thereof," and insert in lieu thereof the following: "On that part of said railway which may, before the passage of this act, have been in use for the passage of freight and passenger trains."

At the end of line 53, same section, add the following: "The returns of said elections shall be made to the city clerk, and by him laid before the common council who shall declare the results by resolution."

Attest: L. A. BRUNNER, *Clerk.*

Mr. Forrest moved that the Senate concur in the House amendments to said bill.

On which motion, the yeas and nays were taken and resulted—yeas 30, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—30.

So the motion was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to the following bill:

H. B. No. 215—Mr. Dawson—To authorize the council of the incorporated village of Leesburg, Highland county, to issue bonds and borrow money for the erection of a town hall, and to transfer certain funds for said purposes.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 501—Mr. Baker—To provide for the safe-keeping of road plows and road scrapers belonging to townships.

H. B. No. 502—Mr. Elliott—To authorize the county commissioners of Delaware county to levy a tax for making a free turnpike road in the township of Scioto, in the county of Delaware, within the limits therein described.

H. B. No. 503—Mr. Clough—To legalize certain bonds issued by the commissioners of Butler county, and to authorize the payment thereof.

H. B. No. 504—Mr. Palmer—To amend an act entitled "An act to authorize the city of Cleveland to fund certain railroad stocks," passed April 28, 1862, (vol. 59, p. 126).

Attest: L. A. BRUNNER, *Clerk.*

Mr. Marsh introduced the following bill, which was read the first time:

S. B. No. 176—To further regulate street railroad companies.

Mr. Johnston submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 252—To amend section 612 of the code of civil procedure, (S. & C., p. 1136)—

Having had the same under consideration, report it back, and recommend its indefinite postponement, for the reason that the same has been incorporated in the code of civil procedure as an amendment thereto.

J. R. JOHNSTON, W. T. FORREST,
LYMAN J. JACKSON, IRVINE DUNGAN,
D. WAGENER.

Said report was agreed to, and the bill was indefinitely postponed.

Mr. Richards submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 467—To authorize the town council of Waverly, Pike county, to issue bonds and levy a tax—

Having had the same under consideration, report it back, with following amendments, and recommend its passage when so amended:

Insert after the word "of," in line 2, the following: "Building a town hall."

THEO. MARSH, G. A. GROVE,
LYMAN J. JACKSON, R. G. RICHARDS.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 27, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—27.

Those who voted in the negative were—

Messrs. Saltzgaber and Seitz—2.

So the bill was passed. The title was agreed to.

Mr. Saltzgaber submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 364—Supplementary to the act entitled "An act relating to the payment of certain bonds of the city of Xenia," passed February 22, 1877—

Having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH, G. A. GROVE,
R. G. RICHARDS, G. M. SALTZGABER.

Said bill was ordered to be engrossed, and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 25, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Jackson of Clinton, Johnston, Joy, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Stokes, Tyler, Wagener, Williams and Wilson—25.

So the bill passed. The title was agreed to.

Mr. Saltzgaber submitted the following report:

The committee on Revision has examined, and found correctly engrossed H. B. No. 336.

G. M. SALTZGABER,
GEO. W. WILSON.

Mr. Carlisle submitted the following report:

The standing committee on Roads and Highways, to whom was referred S. B. No. 174—To enable the commissioners of Montgomery county to purchase toll roads, and to convert the same into free roads—

Having had the same under consideration, report it back with the following amendments, and recommend its passage when so amended:

In section 3, line 7, after the word "roads," insert the following: "And for the purpose of refunding assessments as hereafter provided."

In section 4, line 1, strike out "keeping said roads," and insert the following, after the word "of": "Paying bonds named in this act and interest thereon, and for keeping all free pikes in said county."

B. W. CARLISLE, THOS. S. JACKSON,
J. B. WILLIAMS, LINDSEY KELLEY,
J. C. MCDONALD.

Said amendments were agreed to, and the bill was ordered to be engrossed, and read the third time to-morrow.

Mr. Tyler submitted the following report:

The committee on Railroads, Telegraps and Turnpikes, to whom was referred H. B. No. 329—To authorize the commissioners of Adams county to construct a free turnpike road from the terminus of the Russeliville and Winchester free turnpike road, at the Brown county line, to the village of Winchester, in said county of Adams—

Having had the same under consideration, report it back, and recommend its passage.

GEO. P. TYLER, H. C. LORD,
H. SABINE, J. M. CARSON,
THOS. M. BEER, D. JOY.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Carson submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred H. B. No. 319—Supplementary to the act of May 1, 1873, entitled "An act for the reorganization and maintenance of common schools,," and the several acts amendatory thereof, (O. L., vol. 70, p. 195)—

Having had the same under consideration, report it back, and recommend its passage.

J. M. CARSON, R. G. RICHARDS,
D. WAGENER, C. A. GROVE,
THOS. M. BEER.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Carlisle moved that S. R. No. 50 be taken from the table.

Mr. Johnston moved that the Senate do now adjourn.

On which motion the yeas and nays were taken and resulted—yeas 17, nays 13, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Curtiss, Jackson of Clinton, Johnston, Joy, Kelley, Marsh, Owens, Richards, Sabine, Steedman, Tyler, Wagener, Williams and Wilson—17.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Carson, Dungan, Fisher, Forrest, Krimmel, McDonald, Parker, Saltzgaber, Seitz, Sherrick and Stokes—13.

So the motion was agreed to, and the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

THURSDAY, APRIL 18, 1878—10 o'clock A. M.

The Senate met pursuant to adjournment.

The Journal was read and approved.

Bills were read the second time and referred as follows:

S. B. No. 176—Mr. Marsh—To further regulate street railroad companies.

To committee on Railroads, Telegraphs and Turnpikes.

H. B. No. 41—Mr. Booth—To amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one, of the act to revise and consolidate the general statutes of Ohio.

Mr. Steedman moved that the rules be suspended, and that the bill be referred to a select committee of eight Senators.

On which motion, the yeas and nays were demanded, taken and resulted—yeas 27, nays 3, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Johnston, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—27.

Those who voted in the negative were—

Messrs. Jackson of Clinton, Kelley and Sabine—3.

So the motion was agreed to.

Mr. Saltzgaber submitted the following report:

The committee on Revision has examined, and found correctly engrossed S. B. No. 174.

G. M. SALTZGABER,
G. W. WILSON.

Mr. Steedman presented the petition of officers of the National Guard, praying that suitable appropriations may be made to uniform said organizations.

Which was referred to the committee on Finance.

Mr. Fisher submitted the following report:

The conference committee on the difference between the House and Senate on H. J. R. No. 23—

Having had the same under consideration, report it back and recommend that the House concur in the Senate amendment.

J. C. FISHER,
H. SABINE,
On part of the Senate.

A. R. VAN CLEAF,
THOS. A. COWGILL,
WM. H. REED,
On part of the House.

Mr. Carson moved that said report be agreed to.

Mr. Richards moved that said motion be laid upon the table.

Which was disagreed to.

The question recurring on the motion to agree to said report of the conference committee—

The same was agreed to.

S. B. No. 77—Mr. Tyler—To provide cheap books for the common schools of Ohio.

Was read the third time.

Mr. Tyler moved that the further consideration of said bill be postponed until Wednesday, April 24.

Which was agreed to.

S. B. No. 174—Mr. Grove—To enable the commissioners of Montgomery county to purchase toll roads, and to convert the same into free roads.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 26, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Dungan, Fisher, Grove, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Marsh, McDonald, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—26.

Mr. Forrest voted in the negative—1.

So the bill was passed. The title was agreed to.

H. B. No. 329—Mr. Eylar—To authorize the commissioners of Adams county to construct a free turnpike road from the terminus of the Russelville and Winchester free turnpike road at the Brown county line, to the village of Winchester, in said county of Adams.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Marsh, McDonald, Owens, Saltzgaber, Steedman, Stokes, Tyler, Wagener and Williams—23.

So the bill passed. The title was agreed to.

H. B. No. 319—Mr. Greene—Supplementary to the act of May 1, 1873, entitled "An act for the reorganization and maintenance of common schools, and the several acts amendatory thereof, and to amend an act therein named."

Was read the third time.

Mr. Johnston moved that said bill be laid upon the table.

Which was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 26, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Jackson of Clinton, Joy, Kelley, Lord, Marsh, McDonald, Parker, Richards, Sabine, Seitz, Sherrick, Steedman, Tyler, Wagener, Williams and Wilson—26.

Those who voted in the negative were—

Messrs. Johnston and Owens—2.

So the bill was passed. The title was agreed to.

Mr. Steedman submitted the following report:

The standing committee on Federal Relations, to whom was referred the nomination of William L. Higgins, of Richland county, to be register of Virginia military school lands—

Report the same back and recommend the confirmation of the nomination.

JAMES B. STEEDMAN, LYMAN J. JACKSON,
J. C. FISHER, LINDSEY KELLEY,
C. S. PARKER.

Mr. Steedman moved that the Senate advise and consent to said appointment.

On which motion, the yeas and nays were taken and resulted—yeas 27, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Johnston, Joy, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—27.

So the Senate advised and consented to said appointment.

Mr. Steedman, on leave, offered the following joint resolution:

S. J. R. No. 48—*Be it resolved by the General Assembly of the State of Ohio*, That the Attorney-General be and he is hereby directed to prosecute no further in the case of the State of Ohio against the lessees of the public works, et al., pending in the superior court of Montgomery county.

Mr. Steedman moved that said joint resolution be referred to the committee on Public Works.

Which was agreed to.

Mr. Irvine introduced the following bill, which was read the first time:

S. B. No. 177—To amend an act entitled "An act to regulate the sale of mineral oils and other substances for illuminating purposes," passed April 27, 1872, (O. L. v. 69, pp. 161–2–3), by the addition of sections 10, 11 and 12.

On motion of Mr. Curtiss, the Senate took a recess.

THREE O'CLOCK P. M.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to the following bill—

H. B. No. 336—Mr. Wales—To authorize the trustees of Salem township, Warren county, Ohio, to transfer certain funds therein named to the township fund of said township.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to the following bill:

H. B. No. 467—Mr. Washburn—To authorize the town council of Waverly, Pike county, to issue bonds and levy a tax.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 417—To authorize the trustees of Spencer township, Hamilton county, Ohio, to sell and convey a certain tract of land, and to reinvest the proceeds—

Having had the same under consideration, report it back and recommend its passage.

W. T. FORREST, D. WAGENER,
J. R. JOHNSTON, LYMAN J. JACKSON.

Said bill was ordered to be engrossed and read the third time on Saturday, April 27.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 114—Supplementary to an act defining the powers and duties of notaries public—

Having had the same under consideration, report it back, and recommend the adoption of the following as a substitute therefor:

Substitute for S. B. No. 114—Supplementary to an act defining the powers and duties of notaries public, (S. & C., 873).

Section 1. *Be it enacted by the General Assembly of the State of Ohio*, That notaries public of any county in the State of Ohio, who reside in any city, town, or incorporated village which is located in two or more counties, shall have power within the limits of such incorporated town, village or city to exercise the duties of their office, and all acts done by them as such notary anywhere within such corporate limits, shall have the same force, effect and validity as if performed within the county for which he is commissioned.

SEC. 2. This act shall take effect and be in force from and after its passage.

W. T. FORREST, G. M. SALTZGABER,
LYMAN J. JACKSON, IRVINE DUNGAN.

Said substitute was agreed to, and the bill was ordered to be engrossed, and read the third time on Saturday, April 27.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

Sub. for S. B. No. 126—Mr. Lord—Supplementary to the act relating to cities of the first class having a population exceeding 150,000 inhabitants, passed May 4, 1869.

Attest: L. A. BRUNNER, *Clerk.*

The President *pro tem.*, in presence of the Senate, signed said bills.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled, the following bills:

H. B. No. 355—To authorize the auditor of Butler county to pay a claim named therein.

H. B. No. 338—To authorize the Berea agricultural society to open streets through, to allot and sell or exchange certain lands.

H. B. No. 218—Providing for the payment of the cost of building levees to protect lands from overflowing in certain cases.

J. W. WASHBURN, C. R. HARMON,
R. G. RICHARDS, J. R. JOHNSTON,
WM. JESSUP, F. M. CARTER,
IRVINE DUNGAN, C. F. KRIMMEL,
DUNCAN DOW.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bill:

Sub. for S. B. No. 126—Supplementary to the acts passed February 24, 1876, and April 24, 1877; supplementary to the act relating to cities of the first class having a population exceeding 150,000 inhabitants, passed May 4, 1869, (O. L., v. 66, p. 80), and to repeal section 9 and a portion of section 4 of said act.

IRVINE DUNGAN, C. F. KRIMMEL,
R. G. RICHARDS, F. M. CARTER,
C. R. HARMON, J. W. WASHBURN.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The committee of Conference to whom was referred the differences existing between the two Houses on—

H. B. No. 96—To reorganize the institution for the education of the deaf and dumb—

Failed to agree and the House of Representatives requests the appointment of another committee of Conference.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Johnston moved that the request ot the House be acceded to.

Which was agreed to.

The President appointed Messrs. Marsh, Tyler and Beebe, as such Conference committee on part of the Senate.

Mr. Carlisle submitted the following report:

The committee on Roads and Highways, to whom was referred H. B. No. 462—To authorize township trustees to procure, by purchase or otherwise, material for road purposes—

Having had the same under consideration, report it back and recommend its passage.

B. W. CARLISLE, J. C. MCDONALD,
THOS. J. JACKSON, LINDSEY KELLEY.

Said bill was ordered to be engrossed and read the third time on Wednesday next.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has agreed to the report of the Conference committee, to whom was referred the differences existing between the two Houses on—

H. J. R. No. 23—Mr. Van Cleaf—In relation to a contract for the keeping of insane in Lucas county insane asylum.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Wilson submitted the following report:

The standing committee on Sanitary Laws and Regulations, to whom was referred H. B. No. 157—To prevent and punish fraud as to the making and sale of butter and cheese—

Having had the same under consideration, report it back, with following amendment, and recommend its passage when so amended:

In section 2, line 2, strike out the words "or retail."

G. W. Wilson, J. B. Williams,
J. M. Armstrong, W. H. Stokes,
D. D. Beebe.

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time on Wednesday next.

Mr. Lord submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred S. B. No. 108—To authorize the board of education of South Bend school district, in Delhi township, Hamilton county, Ohio, to issue bonds to obtain money for building a school house—

Having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

After the word "district," in line 3, of section 4, strike out the words, "at the annual school election held on the second Monday in April, 1878," and insert the words "at a special election to be held as herein after provided."

Before the word "be" in line 5, insert the word "shall."

D. Wagener, H. C. Lord,
Thos. M. Beer, J. M. Carson,
R. G. Richards, G. A. Grove.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time on Saturday, April 27.

Mr. Joy submitted the following report:

The standing committee on Penitentiary, to whom was referred H. J. R. No. 28—

Having had the same under consideration, report it back, and recommend its adoption.

D. Joy, H. Sabine,
Geo. P. Tyler, Theo. Marsh,
H. W. Curtiss, C. F. Krimmel.

The question being on the adoption of said joint resolution, the yeas and nays were taken and resulted—yeas 24, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Curtiss, Fisher, Forrest, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Lord, Marsh, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Tyler, Wagener and Wilson—24.

So said joint resolution was adopted.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 172—Mr. Carlisle—To authorize the commissioners of Athens county, Ohio, to build a court house.

With the following amendments, in which the concurrence of the Senate is requested:

By adding at the end of section 4—

SEC. 5. Provided said board shall not issue said bonds, or make said levy, until the proposition whether said court house and offices shall be built, shall have been submitted to the electors of said county at a general or special election therein, and a ballot taken on said proposition in the followlng form to-wit: "For Court House to cost not to exceed $50,000, Yes;" "For Court House to cost not to exceed $50,000, No." The commissioners of said county shall advertise for at least thirty days next preceding said election in at least two newspapers of opposite politics, published in said county, having the largest circulation therein; stating the form of said ballot, when said vote will be taken, and the object thereof, said election and return thereof, and the expense of said advertising shall be conducted and paid for as is provided by the act entitled "An act to amend sections 2 and 3 of an act entitled "An act prescribing the rate of taxation for county, bridge, road and township purposes, and to repeal certain acts therein named,'" passed April 19, 1877, passed March 4, 1878.

Said commissioners shall not be authorized to proceed according to this act to construct said buildings, make said levy or issue said bonds, unless a majority of votes actually cast in pursuance hereof shall be in favor of the same.

By striking out the figure "5" after the word "section" in section 5, and inserting instead the figure "6."

Attest: L. A. BRUNNER, *Clerk.*

Mr. Steedman moved that the Senate refuse to concur in said House amendments.

Mr. Steedman moved that said motion be laid upon the table.

Which was agreed to.

Mr. Johnston submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 16—To amend section 313 of the code of civil procedure, as amended May 3, 1877, (O. L., 74, p. 161)—

Having had the same under consideration, report it back, and recommend its indefinite postponement, for the reason that the same has been incorporated in the code of civil procedure, as reported by the Codifying Commission, and which has already passed the Senate.

J. R. JOHNSTON, W. T. FORREST,
D. WAGENER, IRVINE DUNGAN.

Said report was agreed to.

Mr Johnston submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 66—To amend section 313 of the code of civil procedure, as amended May 3, 1877, (O. L., 74, p. 161)—

Having had the same under consideration, report it back and recommend its indefinite postponement.

J. R. JOHNSTON, IRVINE DUNGAN,
W. T. FORREST, D. WAGENER.

Said report was agreed to.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled the following bills and joint resolutions:

S. B. No. 9—To authorize the board of county commissioners of Hancock county to levy a tax for the purpose of building a county jail.

S. J. R. No. 15—Authorizing the printing of additional copies of the report made to the Governor by Prof. Tuttle, on hog cholera.

S. J. R. No. 31—Providing for the printing and distribution of the fifth volume of the final report of the geological corps of Ohio.

S. J. R. No. 35—Directing the Treasurer of State to correct a certain mistake made by the treasurer of Huron county.

S. J. R. No. 44—Directing the Secretary of State to ship and distribute certain public documents.

Sub. for S. B. No. 83—Supplementary to an act entitled "An act supplementary to an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio," (O. L., 74, p. 38.)

Sub. for S. B. No. 97—Supplementary to an act authorizing township trustees to levy a tax to purchase a site and erect a township hall thereon, passed May 6, 1869, (O. L., v. 66, p. 120), as amended April 18, 1874, (O. L., v. 71, p. 95), as amended April 11, 1876, (O. L., vol. 73, p. 203).

S. B. No. 125—To authorize the council of the incorporated village of Norwalk to levy an additional tax for the general purpose fund of said village.

S. B. No. 132—To authorize the commissioners of Belmont county to levy a special tax for purposes therein named.

J. R. Johnston, Irvine Dungan,
C. F. Krimmel, R. G. Richards,
J. W. Washburn, Wm. Jessup,
C. R. Harmon, Duncan Dow.

Mr. Lord submitted the following report:

The standing committee on Geological Survey, to whom was referred S. B. No. 137—To regulate the sale of mineral oils and other substances for illuminating purposes, and to repeal certain acts therein named, (O L., vol. 69, pp. 161, 162 and 163)—

Having had the same under consideration, report the following substitute, and recommend its passage:

To provide for the appointment of inspectors and deputy inspectors of mineral oils and other substances, to regulate the sale of the same for illuminating purposes. and to repeal certain acts therein named.

Section 1. *Be it enacted by the General Assembly of the State of Ohio*, That all mineral or petroleum oil, or any oil, fluid or substance which is a product of petroleum, or into which petroleum or any product of petroleum enters or is found as a constituent element, whether manufactured within this State or not, shall be inspected, as provided in this act, before being offered for sale, or sold for consumption for illuminating purposes within this State; and such inspection shall be conducted as herein provided, in the following manner, to-wit:

The test shall be made in a test cup of metal or glass, cylindrical in shape, two and a quarter inches in diameter and four inches deep, both measurements being made inside the cup, and this cup shall be filled to within one quarter of an inch of the brim with the oil or other substance to be tested, taken at the ordinary temperature. The cup shall be placed in a water bath sufficiently large to leave a clear space of one inch under the cup, and three-eighths of an inch around it, and in such a manner as to project about one-quarter inch above the water bath. The

space between the cups and the water bath shall be nearly filled with cold water, taken at the ordinary temperature, and the cup being placed in the water bath, the latter shall be heated by an alcohol lamp, with its flame so graduated that the rise in temperature from sixty degrees, Fahrenheit, to the highest test temperature shall not be less than two degrees per minute, and shall be as near two degrees per minute as is practicable, and shall in no case exceed four degrees per minute. A Fahrenheit thermometer shall be suspended in such a manner that the upper surface of its bulb shall be as near as practicable one-quarter of an inch below the surface of the oil undergoing test. As soon as the temperature reaches the point of ninety-eight degrees, Fahrenheit, the lamp shall be removed from under the water bath, and the oil stirred with a small rod reaching to the bottom of the test cup, and the oil shall then be allowed to rise to the temperature of one hundred degrees, Fahrenheit, by the residual heat of the water; and at that point the first test for flash shall be made as follows: A taper, hereinafter described, shall be lighted, and the surface of the oil shall be touched with the flame of the taper, and it shall be lawful to apply this flame, either to the center of the oil surface or to any or all parts of it, but the taper itself shall not be plunged into the oil, and if no flash takes place upon the first contact of the flame with the oil, the taper shall not be held in longer contact, but shall be immediately withdrawn. If no flash takes place at the temperature of one hundred degrees, Fahrenheit, the lamp shall be replaced under the water bath, and the temperature raised to one hundred and three degrees, when the lamp shall again be withdrawn, the oil again stirred and allowed to rise to one hundred and five degrees by the residual heat of the water, when the test shall be made at one hundred and five degrees by again applying the flame of the taper as hereinbefore specified. If no flash occurs the test shall be repeated as often as the oil gains five degrees in temperature, three degrees with the lamp under the water bath, and two degrees with the lamp removed, and after stirring the oil as herein described, these tests shall be repeated until a flash is obtained. The inspector shall further test the oil by applying the taper at every two degrees rise, without removing the lamp or stirring, but if a flash is obtained by this means by a less rise in temperature than the five degrees herein required, he shall at once remove the lamp, stir the oil, and immediately apply the flame. The taper used for testing may be made of any wood giving a clear flame, and it shall be made as slender as possible, and with a tip not more than one-sixteenth of an inch in thickness. No taper or match with sulphur upon it shall be used, unless the sulphur is removed before lighting. When the taper is lighted it shall be applied to the oil immediately, that is to say, before an ash or coal has had time to form on the end of the taper beyond the flame, and in applying the taper the flame shall be made to touch the oil, but the taper itself shall not be brought in contact with the oil; Provided, that if the taper is so brought in contact with the oil, but not held there longer than for the space of one second, and the oil flashes, the test shall not thereby be vitiated, but the inspector shall immediately remove the lamp, and again test the oil by the flame without allowing the body of the taper to touch the oil. No oil or other substance which, by the test herein described, flashes at any temperature below one hundred and ten degrees, Fahrenheit, shall be allowed to be sold or offered for sale or consumed for illuminating purposes in this State; provided, however, that it shall be held and deemed to be a suffi-

cient compliance with the provisions of this section to test the oil or oils therein described, by an apparatus known as the "Foster cup," or Foster's automatic oil tester, designed by James Foster, Jr., & Co., Cincinnati. And it shall be lawful to sell for illuminating purposes any oil or oils herein described, to be consumed within this State, which will bear a flash test of one hundred and ten degrees, Fahrenheit, as is shown by said apparatus; and the said State inspector is hereby authorized to substitute the test by the Foster cup, or Foster's automatic oil tester, designed by James Foster, Jr. & Co., Cincinnati, instead of the test by the open cup, as herein provided, if, in his judgment, by such change a greater uniformity of test throughout the State will be secured.

SEC. 2. That the governor of this State shall appoint a skilled, suitable person, by and with the advise and consent of the Senate, a resident of this State, who is not interested in manufacturing, dealing or vending any illuminating oils manufactured from petroleum, as State inspector of oils, whose term of office shall be for two years from the date of his appointment, and until his successor shall be appointed and qualified. Such inspector, when so appointed and qualified, is hereby empowered to appoint a suitable number of deputies, which deputies are hereby empowered to perform the duties of inspection, and shall be liable to the same penalties as the State inspector And such State inspector may remove any of said deputies for reasonable cause, and appoint others in their place. It shall be the duty of such State inspector and his deputies to provide themselves, at their own expense, with the necessary instruments, and apparatus, and stencils, brands and stamps for testing and marking the quality of said illuminating oils, and when called upon for that purpose, to promptly inspect all oils herein mentioned, and to reject, for illuminating purposes for consumption in this State, all oils, which by being adulterated with naptha, benzine, parafine or other light oils or other substance, or for any other reason, will not stand and be equal to the test herein prescribed. Such State inspector shall prepare the forms of all stencils, brands and stamps provided for in this act, and also such general regulation rules for inspection, not inconsistent with the terms and provisions of this act, and such rules and regulations shall be binding on all deputy inspectors in this State. Such State inspector, or his deputies, are hereby required, and it is made their duty, to test the quality of all mineral or petroleum oils, or any oil, fluid or substance which is a product of petroleum, or into which petroleum, or any product of petroleum, enters or is found as a constituent element, which is offered or intended to be offered for sale for illuminating purposes in this State; and if, upon such testing or examination, the same shall meet the requirements herein specified, the said inspector, or his deputies, shall affix, by stencil or brand, on any package, cask or barrel containing the same, and by a stamp subscribed with his official signature the word "approved," with the date of such inspection; and it shall then be lawful for any manufacturer, vender or dealer to sell the same, to be consumed within this state, as an illuminator; but if the oil so tested shall not meet said requirements, he shall mark, by stencil or brand, in plain letters, on any package or barrel containing the same, and by a stamp, subscribed with his official signature, the words "rejected for illuminating purposes," giving the date of such inspection. And it shall be unlawful for the owner thereof to sell such oil so branded as rejected, to be consumed within this State for illuminating purposes; and if any person shall sell or offer for sale such rejected oil, he shall be deemed

guilty of a misdemeanor, and shall be subject to a penalty in any sum not less than one thousand dollars, or be imprisoned in the county jail not exceeding twenty days, or both.

SEC. 3. Every person appointed State inspector, or deputy inspector, shall, before he enters upon the discharge of the duties of his office, take an oath or affirmation prescribed by the constitution and laws of this State, and shall file the same in the office of the Secretary of State. The State inspector shall execute a bond to the State of Ohio in the sum of $20,000, with such surety as shall be approved by the Secretary of State, conditioned for the faithful performance of the duties imposed upon him by this act, which bond shall be for the use of all persons in any way aggrieved or injured by the acts or neglect of said inspector, and the same shall be filed with the Secretary of State. Said inspector shall be subject to removal by the Governor for any violation or neglect of his duties as herein prescribed. The deputy inspector shall execute a bond to the State of Ohio in the sum of $5,000, with such surety as shall be approved by the judge of probate of the county where said inspector is located, and file the same with the clerk of the court of common pleas in the county where the deputy inspector resides. Said inspector, or deputy inspector, shall be entitled to demand and receive from the owner or party calling on him, or for whom he shall perform the inspection, the sum of forty cents for a single barrel, package or cask, twenty-five cents each when the lot does not exceed ten in number, fifteen cents each when the lot does not exceed twenty in number, ten cents each when the lot does not exceed fifty in number, and five cents each for all lots exceeding fifty barrels. And all fees so accruing shall be a lien on the oil so inspected. It shall be the duty of every inspector, or deputy inspector, to keep a true and accurate record of all oils so inspected and branded by him, which record shall state the date of the inspection, number of barrels, and the name of the person for whom inspected, and such record shall be open to the inspection of any and all persons interested. And every deputy inspector shall, on the first Monday of each and every month, make a true and accurate return to the State inspector of all such inspections for the preceding month, giving the quantity inspected, the date of the inspection, and the name of the person for whom it is inspected. On the second Monday in January of each and every year, the State inspector shall make and deliver to the Governor of the State of Ohio an annual report of the inspections by himself and deputies during the preceding calendar year.

SEC. 4. That if any person or persons, for themselves, or as agents for any person, shall sell, or attempt to sell to any person in this State, any such oils to be consumed within this State for illuminating purposes, whether manufactured in this State or not, before having the same inspected as provided in this act, he shall be deemed guilty of a misdemeanor, and shall be subject to a penalty, and upon conviction thereof shall be fined in any sum not less than $100 and not exceeding $300. And if any person shall falsely brand any package, cask or barrel, as provided in section one in this act, or shall refill and use any package, cask or barrel having the inspector's brand thereon, without having the oil therein inspected, he shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be subject to a penalty, and shall be fined in any sum not exceeding $500 nor less than $100, or be imprisoned in the county jail not exceeding six months, or both, at the discretion of the court.

SEC. 5. Any person who shall knowingly use, for illuminating purposes, any oil or products of petroleum before the same has been inspected and branded by the State inspector, or his deputy, as hereinafter provided, shall be guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not exceeding $100, nor less that $20 for each offense.

SEC. 6. Any person selling or dealing in illuminating oils, produced from petroleum, who shall sell or dispose of any empty barrel, cask or package which has been branded by an inspector, or his deputies, before thoroughly cancelling, removing, and effacing the inspection brand on the same, shall be guilty of a misdemeanor, and on conviction, shall pay a fine of $50 for each barrel, cask or package thus sold or disposed of.

SEC. 7. No person shall adulterate with any substance whatever, for the purpose of sale, or for use for illuminating purposes, any oil obtained from petroleum, or any obtained from coal, in such manner as to render it dangerous to use; nor shall any person knowingly sell or offer for sale or knowingly use, any oil obtained from petroleum, or from coal, or from the products of either, for illuminating purposes within this State, which, by reason of being adulterated, or for any reason whatever, will flash at a temperature less than one hundred and ten degrees of Fahrenheit's thermometer, under the test herein prescribed; Provided, however, that oils not bearing the test herein prescribed may be used in street lamps for lighting streets or public wharves, ways or alleys, and also that the gas or vapor from such oils may be used for illuminating purposes when the oils from which said gas or vapor is generated are contained in reservoirs under ground outside the building illuminated or lighted by said gas. And any person violating any of the provisions of this section, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, be punished by imprisonment in the county jail not more than one year, or by a fine not exceeding $500, or by fine and imprisonment, at the discretion of the court.

SEC. 8. Any person or persons who shall sell, or keep for sale, to be consumed in this State, any illuminating oil manufactured from petroleum or its products, and not inspected as provided in this act, shall be responsible to the party or parties injured for any violation of the provisions of this act, by any clerk or person in their employ, in the sale of said oil.

SEC. 9. It shall be the duty of the inspector, or any deputy inspector, who shall know of the violation of any of the provisions of this act, to enter complaint before any court of competent jurisdiction against any person so offending; and in case of any inspector, or deputy inspector, having knowledge of the violation of the provisions of this act, shall neglect to enter complaint as required by and provided for in this act, he shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not exceeding $500, and be removed from his position as such inspector or deputy inspector.

SEC. 10. No inspector or deputy inspector shall, while in office, traffic, directly or indirectly, in any article which he is appointed to inspect, and in case of any violation of the provisions of this section by any inspector, or deputy inspector, and upon conviction thereof, he shall be fined in any sum not exceeding $500, and removed from his position as such inspector or deputy inspector.

SEC. 11. That the act to regulate the sale of illuminating oils and other substances for illuminating purposes, passed April 27, 1872, (O. L.,

v. 69, p. 161) the act to amend section one of an act to regulate the sale of mineral oils and other substances for illuminating purposes, and to repeal certain acts therein named, passed February 7, 1873, (O. L., v. 70, p. 23,) and section 24, chapter 8, of the act passed May 5, 1877, (O. L., v. 74, p. 271), be and the same are hereby repealed.

SEC. 12. This act shall take effect and be in force from and after its passage.

H. C. LORD, LINDSEY KELLEY,
IRVINE DUNGAN, J. R. JOHNSTON.

Said substitute was ordered to be laid upon the table in order to be printed.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 213—Mr. Hayman—To amend an act entitled "An act supplementary to the act regulating the mode of administering assignments in trust for the benefit of creditors," passed April 6, 1867, passed March 6, 1861, (v. 58, p. 26.)

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

On motion of Mr. Johnston, the Senate went into the committee of the whole for the consideration of H. B. No. 433, and after some time spent therein, arose, reported progress, and asked leave to sit again.

Which was granted.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives, and read the first time:

H. B. No. 505—Mr. Norton—To authorize the incorporated village of Republic, Ohio, to transfer unappropriated funds.

H. B. No. 506—Mr. Klimper—To amend section 4 of an act entitled "An act to authorize cities of the first class to build railroads and to lease or operate the same," passed May 4, 1869, (O. L., v. 66, p. 80.)

H. B. No. 507—Mr. Wright—To amend section 20 of an act entitled "An act prescribing the duties of county auditors," passed and took effect April 4, 1859, as amended January 16, 1873.

H. B. No. 508—Mr. Levering—For the protection of certain cemeteries.

Attest: L. A. BRUNNER, *Clerk.*

The President announced the appointment of the select committee of eight to whom was referred H. B. No. 41, to-wit: Messrs. Saltzgaber, Dungan, Jackson of Perry, Marsh, Forrest, Johnston, Richards and Wilson.

On motion of Mr. Seitz, the Senate adjourned until to-morrow morning at 8 o'clock.

Attest: ALLEN O. MYERS, *Clerk.*

FRIDAY, APRIL 19—8 o'clock A. M.

The Senate met pursuant to adjournment.
The Journal was read and approved.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has appointed Messrs. Hostetter, Washburn and Sage a Conference committee on the part of the House to consider the differences existing between the two Houses on—

H. B. No. 96—Mr. Williams—To reorganize the institution for the education of the deaf and dumb.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

Sub. for H. B. No. 66—Mr. Bloom—To authorize the transfer of funds in certain cases.

H. B. No. 46—Mr. Achauer—Supplementary to an act entitled "An act for the reorganization and maintenance of common schools," passed May 1, 1873, (O. L., v. 70, p. 195.)

H. B. No. 374—Mr. Mack—To create a joint sub-district.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 127—Mr. Lord—To provide for the administration of property given for the promotion of science, art and like purposes, and to protect the same from waste.

Attest: L. A. BRUNNER, *Clerk.*

H. B. No. 213—Mr. Hayman—Was read the second time and referred to the committee on the Judiciary.

On motion of Mr. Johnston, the Senate adjourned.

The President pro tem. announced that in pursuance of S. R. No. 21, the Senate would stand adjourned until Tuesday next at 3 o'clock P. M.

Attest: ALLEN O. MYERS, *Clerk.*

TUESDAY, APRIL 23, 1878—3 o'clock P. M.

The Senate met pursuant to adjournment.

Prayer by Rev. J. L. Grover.

The Journal was read and approved.

Bills were read the second time and referred as follows:

S. B. No. 177—Mr. Irvine—To amend an act entitled "An act to regulate the sale of mineral oils and other substances for illuminating purposes," passed April 27, 1872, (Ohio Laws, volume 69, pages 161, 162 and 163,) by the addition of sections 10, 11 and 12.

To committee on Mines and Mining.

Substitute for H. B. No. 66—Mr. Bloom—To authorize the transfer of funds in certain cases.

To committee on Finance.

H. B. No. 46—Mr. Achauer—Supplementary to an act entitled "An act for the reorganization and maintenance of common schools," passed May 1, 1873, (Ohio Laws, volume 70, page 195.)

To the committee on Judiciary.

H. B. No. 374—Mr. Mack—To create a joint sub-district.

To committee on Common Schools and School Lands.

Mr. Curtiss, on leave, introduced the following bill, which was read the first time:

S. B. No. 178—To authorize the directors of the union school district of Chagrin Falls, Cuyahoga county, to levy and assess an additional tax.

Leave of absence was asked and obtained for the committee on Benevolent Institutions, for this afternoon.

On motion of Mr. Forrest, the Senate went into committee of the whole for the consideration of H. B. No. 433, and after some time spent therein, arose, reported the bill back, with the following amendments, and recommended its passage when so amended:

Page 150, chapter 3, section 69, line 4, strike out "moneys," and insert "property."

Page 193, chapter 8, section 1, line 7, strike out "Jackson," and in line 9, insert the word "Jefferson," after "Geauga."

Page 197, chapter 8, section 15, at end of section, after the word "month," add "Provided, that the county commissioners in any county where such court has jurisdiction may, by order entered on their journal and published for three successive weeks in some newspaper printed within the county, fix its terms at longer intervals, and in like manner change such order."

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time now.

Pending the reading of which, on motion of Mr. Joy, the Senate took a recess until to-morrow morning at 10 o'clock.

WEDNESDAY, APRIL 24, 1878—10 o'CLOCK A. M.

The Senate met pursuant to recess.

Prayer by Rev. J. L. Grover.

When the Senate took a recess it had under consideration H. B. No. 433, the third reading of which being concluded.

Mr. Johnston moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 9, section 1, chapter 8, page 193, after the word "Geauga," insert the word "Mahoning;" also add to the repealing clause the following: "the act of April 24, 1877, (O. L., 74, page 463.")

Which was agreed to, and Mr. Johnston was appointed such committee.

Mr. Johnston, on leave, submitted the following report:

The select committee of one, to whom was referred H. B. No. 433, with instructions to amend, reports the same back amended as instructed.

J. R. JOHNSTON.

Mr. Johnston moved to refer the bill to a select committee of one, with instructions to amend as follows:

Page 127, in line 1, of section 13, chapter 3, between the words "or" and "mother," insert the following: "in case the father be dead, or has gone to parts unknown, any."

Which was agreed to, and Mr. Johnston was appointed such committee.

Mr. Johnston, on leave, submitted the following report:

The select committee of one, to whom was referred H. B. No. 433, with instructions to amend, reports the same back amended as instructed.

J. R. JOHNSTON.

Mr. Johnston moved to refer the bill to a select committee of one, with instruction to amend as follows:

Add the following section on page 154, at the end of chapter 3:

"SEC. 82. That when it shall be made to appear to the probate judge, that at the time of the creation of any trust, such as is mentioned in this chapter, the said trust estate is incumbered with any lien or liens, or that there is any debt or debts against any person or persons, for the payment of which said trust estate is chargeable, the said probate judge shall have full power to grant an order of sale to the trustee of said trust estate, to sell so much thereof as may be necessary for the purpose of paying said lien or liens, debt or debts; and in cases where it shall not be necessary to sell all of the trust estate for the purpose of paying said lien or liens, debt or debts, and it can be shown to said probate judge that it will be for the best interests of the *cestin que trust* to have the entire trust estate sold, and to have the balance of the proceeds of said sale, after paying said lien or liens, debt or debts, and the costs and expenses of said sale reinvested in other real estate to be held in trust for the *cestin que trust*, then said probate judge shall order the sale of the entire trust estate, and such reinvestment of the balance of the proceeds thereof after paying said lien or liens, debt or debts, and the costs and expenses of said sale, and the procedure for this purpose, as to parties, petition, notice, appraisement and sale, shall be the same, so far as practicable, as is now required of guardians in proceedings to sell the real estate of their wards.

Which was disagreed to.

Mr. Wilson moved to refer the bill to a select committee of one with instructions to amend as follows:

In chapter 3, section 6, page 125, between the words "sureties," in line 7, and "payable," in line 8, insert the following words, to-wit: "resident of the State, one of whom shall be a resident of the county where such guardian is appointed."

Mr. Johnston moved to amend said amendment as follows:

Strike out the words "one of whom," and insert in lieu thereof the word "who."

Which was disagreed to.

The question recurring on Mr. Wilson's motion to refer—

The same was agreed to, and Mr. Wilson was appointed such committee.

Mr. Wilson, on leave, submitted the following report:

The select committee of one, to whom was referred H. B. No. 433, with instructions to amend, reports the same back amended as instructed.

G. W. WILSON.

Mr. Wilson moved o refer the bill to a select committee of one, with instructions to amend as follows:

In chapter 4, section 16, in line 24, page 165, between the words "value" and "nor," insert the following words, to-wit: "and such trustee or assignee may pay to the wife of the assignor a just and reasonable sum, to be approved by the probate court, for the release of her inchoate right of dower in the real estate assigned."

Which was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 27, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Irvine, Johnston, Joy, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Saltzgaber, Seitz, Stokes, Tyler, Wagener, Williams and Wilson—27.

So the bill was passed. The title was agreed to.

Mr. Wilson submitted the following report:

The committee on Revision has examined and found correctly engrossed substitute for S. B. No. 114—Mr. Saltzgaber.

G. M. SALTZGABER, G. W. WILSON,
J. C. FISHER.

Mr. Johnston submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled the following bill:

H. B. No. 467—To authorize the town council of Waverly, Pike county, to issue bonds and levy a tax.

J. W. WASHBURN, WM. JESSUP,
C. R. HARMON, F. M. CARTER,
DUNCAN DOW, E. S. PERKINS,
J. R. JOHNSTON.

Mr. Wilson submitted the following report:

The committee on Revision has examined and found correctly engrossed, H. B. No. 157—Mr. Foster.

G. M. SALTZGABER, G. W. WILSON,
J. C. FISHER.

Mr. Saltzgaber submitted the following report:

The committee on Revision has examined and found correctly engrossed S. B. No. 108—Mr. Lord.

G. M. SALTZGABER,
G. W. WILSON.

Mr. Saltzgaber submitted the following report:

The committee on Revision has examined, and found correctly engrossed S. J. R. No. 48—Mr. Steedman.

G. M. SALTZGABER.
G. W. WILSON.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills and joint resolutions:

S B. No. 125—Mr. Parker—To authorize the council of the incorporated village of Norwalk to levy an additional tax for the general purpose fund of said village.

S. B. No. 9—Mr. Joy—To authorize the board of county commissioners of Hancock county to levy a tax for the purpose of building a county jail.

S. B. No. 132—Mr. Wagener—To authorize the commissioners of Belmont county to levy a special tax for purposes therein named.

Sub. for S. B. No. 83—Mr. Johnston—Supplementary to an act entitled "An act supplementary to an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio," (O. L., vol. 74, p. 38).

Sub. for S. B. No. 97—Mr. Marsh—Supplementary to "An act authorizing township trustees to levy a tax to purchase a site and erect a township hall thereon," passed May 6, 1869, (O. L., vol. 66, p. 120;) as amended April 18, 1874, (O. L., vol. 71, p. 95;) as amended April 11, 1878, (O. L., vol. 73, p. 203).

S. J. R. No. 35—Mr. Parker—Directing the Treasurer of State to correct a certain mistake made by the treasurer of Huron county.

S. J. R. No. 44—Mr. Beer—Directing the Secretary of State to ship and distribute certain public documents.

S. J. R. No. 31—Mr. Johnston—Providing for the printing and distribution of the fifth volume of the final report of the Geological corps of Ohio.

S. J. R. No. 15—Mr. Carlisle—Authorizing the printing of additional copies of the report made to the Governor by Prof. Tuttle on Hog Cholera.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills and joint resolutions.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 509—Mr. Covert—To authorize cities of the second grade, of the first class, to appropriate money from the fund raised for sanitary purposes and street cleaning, to repair paved streets.

H. B. No. 510—Mr. Poe—To authorize the transfer of certain funds in the village of Brooklyn, to other funds in said village.

H. B. No. 511—Mr. Poe—To authorize the board of trustees of the village of West Cleveland to issue bonds for water-works, to the amount of five thousand dollars.

H. B. No. 512—Mr. Stubbs—To authorize the county commissioners

of Preble county to levy a tax to pay the present indebtedness of the Preble county Agricultural Society.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Saltzgaber introduced the following bill, which was read the first time:

S. B. No. 179—For the relief of Davis Johnson.

Mr. Owens offered the following joint resolution:

S. J. R. No. 49—To provide for the publication of the Ohio State reports, and the advance sheets of the same.

Be it resolved by the General Assembly of the State of Ohio, That the Secretary of State be and he is hereby authorized to contract with some responsible person or firm to furnish material, print, bind and supply the State with three hundred and fifty copies of the thirtieth, and all other volumes, of the Ohio State Reports that may be ready for publication within two years from the 23d day of June, A. D. 1878; the decisions of the supreme court and supreme court commission to be arranged and reported in separate volumes, series of the Ohio State reports; said contract to be made in accordance with the provisions and subject to the restrictions of section thirteen of an act entitled "An act relative to the appointment and duties of a reporter of the Supreme Court, and the preparation and distribution of the reports of said court," passed April 23, 1872, and shall include the advance sheets provided for in said section, with the decisions arranged as herein directed.

Mr. Saltzgaber gave notice of his intention to discuss said joint resolution, so it went over under the rule.

Mr. Carson moved to take from the table S. J. R. No. 46.

On which motion the yeas and nays were demanded, taken and resulted—yeas 23, nays 3, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Joy, Krimmel, Lord, Marsh, McDonald, Parker, Richards, Seitz, Stokes, Tyler, Wagener, William sand Wilson—23.

Those who voted in the negative were—

Messrs. Johnston, Kelley and Owens—3.

So the motion was agreed to.

Mr. Carson moved to amend said joint resolution be striking out the words "29th of April," and inserting in lieu thereof the words "6th day of May," and by striking out the words "second of December" and inserting in lieu thereof the words "third of December."

Mr. Wilson demanded a division of the question.

The question first being on striking out the words "29th of April—

Mr. Seitz moved to refer the joint resolution and amendment to the committee on Finance.

Mr. Johnston moved that the Senate take a recess.

On which motion the yeas and nays were demanded, taken and resulted—yeas 19, nays 9, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Curtiss, Fisher, Irvine, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Richards, Saltzgaber, Tyler, Wagener, Williams and Wilson—19.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Carson, Forrest, Grove, McDonald, Parker, Seitz and Stokes—9.

So the motion was agreed to, and the Senate took a recess.

THREE O'CLOCK, P. M.

When the Senate took a recess it had under consideration S. J. R. No. 46, the pending question being on Mr. Seitz's motion to refer said joint resolution to the committee on Finance.

On demand of Mr. Fisher, a call of the Senate was had.

Leave of absence was asked and obtained for Messrs. Wagener, Dungan, McDonald and Sabine for to-day.

Messrs. Howland, Joy, Sherrick and Steedman were absent.

On motion of Mr. Fisher, further proceedings under the call were dispensed with.

The question recurring on the motion to refer said S. J. R. No. 46—

The yeas and nays were demanded, taken, and resulted—yeas 5, nays 19, as follows:

Those who voted in the affirmative were—

Messrs. Carson, Johnston, Kelley, Richards and Seitz—5.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Beer, Benson, Curtiss, Fisher, Forrest, Grove, Jackson of Clinton, Jackson of Perry, Krimmel, Lord, Marsh, Owens, Parker, Saltzgaber, Stokes, Tyler and Williams—19.

So said motion to refer was disagreed to.

The question then recurring on the motion to strike out the words "29th day of April"—

The yeas and nays were demanded, taken and resulted—yeas 17, nays 10, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Krimmel, Marsh, Parker, Richards, Seitz, Sherrick, Stokes and Wilson—17.

Those who voted in the negative were—

Messrs. Beebe, Beer, Benson, Jackson of Clinton, Johnston, Kelley, Lord, Owens, Saltzgaber and Tyler—10.

So the motion to strike out was agreed to.

The question recurring on the motion to insert the words "6th day of May" in the blank—

Mr. Krimmel móved to amend by inserting the words "13th day of May" therefor.

On which motion the yeas and nays were demanded taken and resulted—yeas 16, nays 12, as follows:

Those who voted in the affirmative were—

Messrs. Benson, Curtiss, Forrest, Grove, Irvine. Jackson of Perry, Krimmel, Lord, Marsh, Owens, Parker, Richards, Seitz, Tyler, Williams and Wilson—16.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Fisher, Jackson of Clinton, Johnston, Kelley, Saltzgaber, Sherrick and Stokes—12.

So the motion was agreed to.

The question then recurring on the motion to strike out the words "2d day of December," and insert in lieu thereof the words "3d day of December"—

Mr. Seitz demanded a division of the question.

The question being on the motion to strike out, the yeas and nays were demanded, taken and resulted—yeas 24, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Richards, Saltzgaber, Seitz, Sherrick, Stokes, Tyler and Williams—24.

So the motion to strike out was agreed to.

Mr. Carlisle moved to fill the blank with the words "6th day of January, 1879."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 9, nays 18, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Carlisle, Fisher, Lord, Parker, Seitz, Sherrick, Stokes and Wilson—9.

Those who voted in the negative were—

Messrs. Armstrong, Beer, Benson, Carson, Curtiss, Forrest, Grove, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Marsh, Owens, Richards, Saltzgaber, Tyler and Williams—18.

So the motion was disagreed to.

The question recurring on the motion to insert in said blank the words "3d day of December."

Mr. Grove moved to amend by filling the blank with the words "first Tuesday of January, 1879."

On which motion, the yeas and nays were demanded, taken and resulted—yeas 9, nays 17, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Carlisle, Fisher, Grove, Parker, Seitz, Sherrick, Stokes, and Wilson—9.

Those who voted in the negative were—

Messrs. Armstrong, Beer, Benson, Carson, Curtiss, Forrest, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, Marsh, Owens, Richards, Saltzgaber, Tyler and Williams—17.

So the motion was disagreed to.

The question recurring on inserting in said blank the words "3d day of December."

The yeas and nays were demanded, taken and resulted—yeas 14, nays 10, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carson, Curtiss, Jackson of Clinton, Jonnston, Kelley, Krimmel, Lord, Marsh, Owens, Richards and Williams—14.

Those who voted in the negative were—

Messrs. Beebe, Carlisle, Fisher, Forrest, Grove, Parker, Saltzgaber, Sherrick, Stokes and Wilson—10.

So the motion was agreed to.

The question then being on the adoption of the joint resolution as amended—

Mr. Saltzgaber moved to substitute for said joint resolution the following:

Be it resolved by the General Assembly of the State of Ohio, That a joint committee of two on the part of the Senate, and —— on the part of the House, be appointed to consider and report when and to what time

the present session of the General Assembly, having due regard to the public interests, shall adjourn.

On which motion, the yeas and nays were demanded, taken and resulted—yeas 14, nays 13, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Curtiss, Forrest, Grove, Irvine, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, Owens, Richards, Saltzgaber and Wilson—14.

Those who voted in the negative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Fisher, Marsh, Parker, Seitz, Sherrick, Stokes, Tyler and Williams—13.

So the substitute was agreed to.

Mr. Sherrick moved that the joint resolution as amended be laid upon the table.

On which motion, the yeas and nays were demanded, taken and resulted—yeas 6, nays 20, as follows:

Those who voted in the affirmative were—

Messrs. Beer, Fisher, Irvine, Owens, Parker and Sherrick—6.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Forrest, Grove, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, Marsh, Richards, Saltzgaber, Seitz, Stokes, Tyler, Williams and Wilson—20.

So the motion was disagreed to.

The question being on the adoption of the joint resolution as amended, the yeas and nays were taken and resulted—yeas 18, nays 7, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Carlisle, Carson, Forrest, Grove, Jackson of Clinton, Johnston, Krimmel, Lord, Owens, Parker, Saltzgaber, Seitz, Stokes, Tyler, and Williams—18.

Those who voted in the negative were—

Messrs. Curtiss, Fisher, Kelley, Marsh, Richards, Sherrick and Wilson—7.

So said joint resolution as amended was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills and joint resolution:

H. B. No. 467—Mr. Washburn—To authorize the town council of Waverly, Pike county, to issue bonds and levy a tax.

H. B. No. 336—Mr. Wales—To authorize the trustees of Salem township, Warren county, Ohio, to transfer certain funds therein named to the township fund of said township.

H. B. No. 392—Mr. Swaim—To make temporary transfers heretofore made by the county commissioners of Vinton county, permanent.

H. B. No. 329—Mr. Eylar—To authorize the commissioners of Adams county to construct a free turnpike road from the terminus of the Russellville and Winchester free turnpike road, at the Brown county line, to the village of Winchester, in said county of Adams.

H. J. R. No. 28—Mr. Bull—Instructing the board of directors of the Ohio Penitentiary to employ an architect to estimate the cost of certain repairs in said institution.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills and joint resolution.

Mr. Owens moved to take from the table S. B. No. 137.

Which was agreed to.

The question being on agreeing to the substitute for said bill as reported by the committee.

The same was agreed to, and the bill was ordered to be engrossed and placed upon the calendar for third reading on Friday next.

Mr. Forrest moved that Sub. for S. B. No. 59 be taken from the table.

Which was agreed to.

On motion of Mr. Saltzgaber, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

THURSDAY, APRIL 25, 1878—10 o'clock A. M.

The Senate met pursuant to adjournment.

Prayer by Rev. J. L. Grover.

The Journal was read and approved.

Mr. Johnston submitted the following report:

The joint committee on Enrollment have examined and found correctly enrolled the following bills and joint resolution:

H. J. R. No. 23—In relation to contract for the keeping of insane in Lucas county insane asylum.

H. B. No. 358—To authorize the commissioners of Defiance county, Ohio, to complete a bridge therein named.

H. B. No. 215—To authorize the council of the incorporated village of Leesburg, Highland county, to issue bonds and borrow money for the erection of a town hall, and to transfer funds for that purpose.

H. B. No. 319—Supplementary to the act of May 1, 1873, entitled "An act for the reorganization and maintenance of common schools, and the several acts amendatory thereof, and to amend an act therein named."

WM. JESSUP,	E. S. PERKINS,
J. W. WASHBURN,	J. R. JOHNSTON,
C. R. HARMON,	R. G. RICHARDS,
A. D. MARSH,	C. F. KRIMMEL.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 513—Mr. Johnson—To authorize the commissioners of Tuscarawas county to make an additional levy for county purposes.

H. B. No. 514—Mr. Sullivan of Hamilton—To create a village school district in Anderson township, Hamilton county.

H. B. No. 515—Mr. Haley—To authorize the board of directors of the Hardin county agricultural society to issue bonds to pay the indebtedness of said society.

H. B. No. 516—Mr. Klimper—To amend section 3 of the act of April

6, 1870, entitled "An act limiting the compensation of certain officers therein named, (vol. 67, p. 36) as amended March 14, 1878, (vol. 75, p. 45).

H. B. No. 517—Mr. Booth—To authorize the payment of a claim therein named.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to—

H. B. No. 433—To revise and consolidate the laws relating to procedure in probate courts.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills and joint resolution:

H. B. No. 215—Mr. Dawson—To authorize the council of the incorporated village of Leesburg, Highland county, to issue bonds and borrow money for the erection of public buildings, and to transfer certain funds for said purpose.

H. B. No. 358—Mr. Hardy of Defiance—To authorize the commissioners of Defiance county, Ohio, to complete a bridge therein named.

H. J. R. No. 23—Mr. Van Cleaf—In relation to contract for the keeping of insane in Lucas county insane asylum.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills and joint resolution.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 510—Mr. Poe—To authorize the transfer of certain funds in the village of Brooklyn to other funds in said village.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the adoption of the following joint resolution:

Substitute for S. J. R. No. 46—Mr. Carson—Relative to the adjournment of the 63d General Assembly—

And have filled the blank with the number "three."

Attest: L. A. BRUNNER, *Clerk.*

The President announced the appointment of Messrs. Saltzgaber and Curtiss as committee on part of the Senate, in pursuance of S. J. R. No. 46.

Mr. Beebe presented the petition of Mary A. Woodbridge and 202 other citizens of Ravenna, Portage county, asking that by proper statutes it be submitted to incorporated villages the option, determined by vote of the qualified electors, whether or not they require their village councils to prohibit by ordinance and proper penalties, ale, beer and porter houses, etc.

Which was referred to the committee on Sanitary Laws and Regulations.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

H. B. No. 319—Mr. Greene—Supplementary to the act of May 1, 1873, entitled "An act for the reorganization and maintenance of common schools, and the several acts amendatory thereof, (O. L. v. 70, p. 195), and to amend an act therein named."

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bill.

Bills were read the second time and referred as follows:

S. B. No. 178—Mr. Curtiss—To authorize the directors of the union school district of Chagrin Falls, Cuyahoga county, to levy and assess an additional tax.

To committee on Finance.

S. B. No. 179—Mr. Saltzgaber—For relief of Davis Johnson.

To committee on Judiciary.

H. B. No. 462—Mr. Cowgill—To authorize township trustees to procure, by purchase or otherwise, material for road purposes.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, Parker, Richards, Sabine, Seitz, Stokes, Tyler, Wagener, Williams and Wilson—23.

Those who voted in the negative were—

Messrs. Johnston and Marsh—2.

So the bill was passed. The title was agreed to.

H. B. No. 157—Mr. Foster—To prevent and punish fraud as to the making and sale of butter and cheese.

Was read the third time.

Mr. Howland moved that said bill be laid on the table.

Which was agreed to.

Mr. Forrest offered the following resolution:

S. R. No. 52—WHEREAS, The clerical force of the Senate is unable to enroll the codifying bills, of which there are nearly a thousand pages; therefore, be it

Resolved, That the Chief Clerk is directed to employ such force as may be necessary, the same to be paid on a warrant signed by the President of the Senate, after the committee on Claims has approved the accounts of such clerks.

The question being on the adoption of the resolution, the yeas and nays were taken, and resulted—yeas 21, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Curtiss, Fisher, Forrest, Howland, Jackson of Clinton, Joy, Kelley, Lord, Marsh, Parker, Richards, Sabine, Saltzgaber, Seitz, Stokes, Tyler, Wagener, Williams and Wilson—21.

Mr. Johnston voted in the negative—1.

So the resolution was adopted

Mr. Beer submitted the following report:

The standing committee on Railroads, Telegraphs and Turnpikes, to whom was referred H. B. No. 440—To authorize the commissioners of Scioto county, to borrow money on the bonds of the county, to discharge the existing liabilities of said county, now in the shape of turnpike floating orders—

Having had the same under consideration, report it back, and recommend its passage.

GEO. P. TYLER, D. JOY,
J. C. FISHER, THOS. M. BEER.

Said bill was ordered to be engrossed and read the third time on Saturday next.

Mr. Fisher moved that H. B. No. 103 be taken from the table.

Which was agreed to.

Mr. Johnston moved that the further consideration of said bill be postponed until Saturday next.

Which was disagreed to.

The question being on agreeing to the substitute for said H. B. No. 103—

Mr. Wilson moved to amend said substitute as follows:

In section 9, at the end of line 5, add "per annum."

Which was agreed to.

Mr. Richards moved to amend said substitute as follows:

Strike out all of section 10, after the word "permit," in line 4.

On which motion the yeas and nays were taken, and resulted—yeas 15, nays 15, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Perry, Kelley, Krimmel, Marsh, Owens, Parker, Richards, Sabine, Saltzgaber, Tyler and Wilson—15.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Fisher, Forrest, Grove, Jackson of Clinton, Joy, Lord, Seitz, Steedman, Stokes, Wagener and Williams—15.

So the motion was disagreed to.

Mr. Jackson of Clinton moved to amend the substitute as follows:

Strike out all of section 1, after the word "that," in first line.

Also, strike out "university," in the first line of section 2, and insert "Ohio Agricultural and Mechanical College."

Insert section 2, as amended, in section 1, as amended, and each of the succeeding sections be numbered one less than designated in the bill.

Strike out the word "university," wherever it occurs in the bill, and insert the word "college."

Which was disagreed to.

On motion of Mr. Richards, the Senate took a recess.

THREE O'CLOCK P. M.

When the Senate took a recess it had under consideration H. B. No. 103, the question being on agreeing to the substitute for said bill reported by the committee on Universities, Colleges and Academies.

Mr. Fisher moved that the vote by which Mr. Richards' motion to strike out a portion of section 10 of said substitute was lost, be reconsidered.

On demand of Mr. Carson, a call of the Senate was had.

Messrs. Dungan, Howland, Irvine and Jackson of Perry were absent.

Mr. Fisher moved that further proceedings under the call be dispensed with.

Which was disagreed to.

On motion of Mr. Richards, the Sergeant-at-Arms was dispatched for absentees.

Mr. Howland appeared within the bar of the Senate and answered to his name.

On motion of Mr. Fisher, further proceedings under the call were dispensed with.

The question recurring on Mr. Fisher's motion to reconsider—

The yeas and nays were demanded, taken, and resulted—yeas 15, nays 16, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Curtiss, Howland, Johnston, Kelley, Krimmel, Marsh, Owens, Parker, Richards, Sabine, Saltzgaber, Tyler and Wilson—15.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Fisher, Forrest, Grove, Jackson of Clinton, Joy, Lord, Seitz, Sherrick, Steedman, Stokes, Wagener and Williams—16.

So the motion was disagreed to.

Mr. Owens moved to amend said substitute as follows:

In line 6, section 10, after the word " who," add "elect to."

Which was agreed to.

Mr. Beer moved to further amend said substitute by inserting in section 10, line 1, after the word "trustees," the words "in connection with the faculty of the university."

Which was agreed to.

Mr. Fisher moved to further amend said substitute by striking out of line 4, section 11, the following: " And all other acts inconsistent with the provisions of this act."

Which was agreed to.

The question being on agreeing to the said substitute as amended—

The yeas and nays were demanded, taken, and resulted—yeas 29, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Joy, Kelley, Krim-

mel, Lord, Marsh, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—29.

So said substitute was agreed to, and the bill was ordered to be engrossed and read the third time now, and was then read.

Mr. Richards moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 3, of section 10, between the words "arts" and "and," insert the following: "Mines and mine engineering."

Which was agreed to, and Mr. Richards was appointed such committee.

Mr. Richards, on leave, submitted the following report:

The select committee of one, to whom was referred H. B. No. 103, with instructions to amend, reports the same back amended as instructed.

R. G. RICHARDS.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 20, nays 9, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Fisher, Forrest, Grove, Joy, Krimmel, Lord, Marsh, Owens, Parker, Seitz, Sherrick, Steedman, Stokes, Wagener, Williams and Wilson—20.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley, Richards and Sabine—9.

So the bill was passed. The title was agreed to.

Mr. Curtiss asked and obtained leave of absence for the select committee appointed in pursuance of H. J. R. No. 46, for this afternoon.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 488—Mr. Bloom—To revise and consolidate the laws relating to procedure before justices of the peace and mayors.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested:

H. J. R. No. 46—Mr. Washburn—Requiring the clerks of the Senate and House to prepare and mail a calendar of the unfinished work to each member of the General Assembly.

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Fisher, said joint resolution was referred to the committee on Public Printing.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has appointed Messrs. Washburn, Dodds and Perkins, a committee on part of the House in pursuance of—

Sub. for S. J. R. No. 46—Relative to the adjournment of the Sixty-third General Assembly.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the adoption of the following joint resolution:

Sub. for S. J. R. No. 39—Mr. Armstrong—Providing for a committee to investigate the condition of the affairs of the trustees of the Cincinnati Southern Railway.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Curtiss submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 465—To authorize the trustees of the township of Mayfield, Cuyahoga county, to transfer funds therein named—

Having had the same under consideration, report it back, and recommend its passage.

H. W. CURTISS, J. M. CARSON,
THOS. M. BEER, JOHN SEITZ,
H. C. LORD.

Said bill was ordered to be engrossed and read the third time on Saturday next.

Mr. Beer submitted the fol'owing report:

The standing committee on Finance, to whom was referred H. B. No. 386—To authorize the trustees of Richland township, Clinton, county, Ohio, to transfer certain funds therein named—

Having had the same under consideration, report it back and recommend its passage.

H. W. CURTISS, THOS. M. BEER,
J. M. CARSON, JOHN SEITZ,
H. C. LORD.

Said bill was ordered to be engrossed and read the third time on Saturday next.

Mr. Sherrick submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 436—To authorize the board of education of Napoleon, Henry county, to issue bonds for the redemption of other bonds—

Having had the same under consideration, report it back, and recommend its passage.

J. SHERRICK, J. M. CARSON,
H. W. CURTISS, H. C. LORD,
JOHN SEITZ, THOS. M. BEER.

Said bill was ordered to be engrossed and read the third time on Saturday next.

Mr. Beer submitted the following report:

The standing committee on Finance, to whom was referred S. B. No. 178—To authorize the directors of the union school district of Chagrin Falls, Cuyahoga county, to levy and assess an additional tax—

Having had the same under consideration, report it back, and recommend its passsage.

H. W. Curtiss, Thos. M. Beer,
John Seitz, H. C. Lord,
J. M. Carson.

Said bill was ordered to be engrossed and read the third time on Saturday next.

Mr. Carson submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 310—To authorize the commissioners of Ross county to change the valuation of certain real estate for the purpose of taxation—

Having had the same under consideration, report it back, and recommend that it be indefinitely postponed.

J. M. Carson, H. W. Curtiss,
Thos. M. Beer, John Seitz,
J. Sherrick, H. C. Lord.

The report of the committee was agreed to.

Mr. Curtiss moved that H. B. No. 360 be taken from the table.

Which was agreed to.

On motion of Mr. Curtiss, said bill was referred to the committee on Finance.

Mr. Owens moved to take from the table S. J. R. No. 49.

Which was agreed to.

Mr. Owens moved to amend said joint resolution as follows:

Add to the end thereof the words "the volumes shall be in paper, and binding equal to vol. 66, New York reports."

Which was agreed to.

Mr. Saltzgaber moved to amend said joint resolution—

By striking out of line 6 the words "all other volumes," and insert in lieu thereof "any other subsequent volume."

Which was agreed to.

The question being on the adoption of said joint resolution, the yeas and nays were taken and resulted—yeas 19, nays 4, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Carlisle, Curtiss, Forrest, Grove, Jackson of Clinton, Johnston, Kelley, Owens, Parker, Richards, Saltzgaber, Sherrick, Tyler, Wagener, Williams and Wilson—19.

Messrs. Carson, Fisher, Joy and Seitz voted in the negative—4.

So the resolution was adopted.

Mr. Forrest offered the following joint resolution:

S. J. R. No. 50—Whereas, The State of Ohio is the owner of certain lots of ground in the city of Columbus, on Ohio and Champion avenues, Town street and a street recently opened by the State on the east side of the Asylum for the Blind, and extending from Town to Friend streets, and

Whereas, the improvement of those streets is retarded by the fact that the State will not contribute to the improvement thereof; and

WHEREAS, the improvement of these streets and avenues will enhance the value of the contiguous property, and conduce to the public convenience; and

WHEREAS, there are a number of convicts in the Ohio penitentiary who are unemployed and who will likely remain idle for some time to come, therefore,

Be it resolved by the General Assembly of the State of Ohio, That the directors of the Ohio penitentiary be and they are hereby instructed to direct the warden of the penitentiary to employ so many of the said convicts as may be necessary, and can be safely and profitably used for the purpose of improving said avenues and streets by grading, macadamizing, curbing and placing gutters on so much of such property as they may deem for the best interests of the State.

On motion of Mr. Forrest, said joint resolution was referred to the committee on Public Expenditures.

Mr. Saltzgaber offered the following resolution:

S. R. No. 53--*Be it resolved by the Senate*, That the Attorney General be and he is hereby requested to inform the Senate without delay, his opinion as to the following matters:

1. Whether a recovery can be had in the action now pending in the superior court of Montgomery county, wherein the State sues the lessees of the public works.

2. Whether damages can be recovered from said lessees for alleged non-performance of their contract, made with the State for such lease, in view of the acts of the State complained of by them and of the action or non-action of the board of public works, and all existing facts.

3. Whether it would prejudice the right of the State to recover any such damages in case the General Assembly required the board of public works to take immediate possession of the canals, and such possession was taken.

Mr. Forrest moved to lay said resolution on the table.

Which was agreed to.

On motion of Mr. Joy, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk*.

FRIDAY, APRIL 26, 1878—10 o'clock A. M.

The Senate met pursuant to adjournment.

Prayer by Rev. J. L. Grover.

The Journal was read and approved.

Mr. Stokes presented the petition and memorial of Col. Thos. Worthington, of Warren county, in relation to his court-martial.

Which was referred to the committee on Military Affairs.

Mr. Sabine presented the petition of Thos. Brown and 260 other citizens of Marysville, Union county, praying for local option law.

Which was referred to the committee on Sanitary Laws and Regulations.

Mr. Seitz presented the petition of H. F. Ebersole and fifty other citizens of Seneca county, praying for the passage of the Perkins school book bill.

Which was referred to the committee on Common Schools and School Lands.

Bills were read the second time and referred as follows:

H. B. No. 510—Mr. Poe—To authorize the transfer of certain funds in the village of Brooklyn, to other funds in said village.

To the committee on Finance.

H. B. No. 488—Mr. Bloom—To revise and consolidate the laws relating to the procedure before justices of the peace and mayors.

Mr. Forrest moved that the rules be suspended and that said bill be referred to a select committee of six.

Which was agreed to.

Mr. Jackson, of Perry, presented the petition of W. A. Graham and 1,000 other citizens of Zanesville, Muskingum county, asking the passage of House Bill, by Mr. Achauer, to enable the board of education of said city of Zanesville to contract with the trustees of John McIntire's will for the schooling of certain children.

Which was referred to the committee on Judiciary.

Sub. for S. B. No. 137—Mr. Lord—To provide for the appointment of inspectors and deputy inspectors of mineral oils and other substances; to regulate the sale of the same for illuminating purposes, and to repeal certain acts therein named.

Was read the third time.

Mr. Howland moved to refer the bill to a select committee of one, with instructions to amend as follows:

SEC. 11. That any person who shall sell, or cause to be sold, any of the oils mentioned in this act, for illuminating purposes, which is below one hundred and ten degrees Fahrenheit, when tested as provided in section one of this act, the person selling such oil, or causing the same to be sold, shall be liable to any person purchasing said oil, or to any person injured thereby, for all damages resulting from any explosion of said oil, and it shall be no defence that the inspector's brand was upon the cask, or package or barrel from which the oil was taken.

Make section 11 and 12, section 12 and 13.

Mr. Tyler moved to amend the instructions by striking out "below 110 degrees Fahrenheit," and insert after the word "below," the words "130 degrees Fahrenheit."

Mr. Curtiss moved that said bill and pending amendments be laid on the table.

Which was agreed to.

Mr. Sherrick submitted the following report:

The standing committee on Finance, to whom was referred—

H. B. No. 403—Making appropriations for the fiscal year 1878, and the first quarter of the fiscal year 1879—

Having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

Amendments to H. B. No. 403—

SEC. 1. Strike out in line 34, "six hundred dollars" and insert "one thousand dollars."

In lines 38 and 39, strike out "twenty thousand dollars" and insert "forty thousand dollars."

Strike out line 40.

Add after line 43, "for night watch of State House and grounds, six hundred dollars, to be appointed by the treasurer."

Add after line 47, "for the better ventilation of State House, one thousand four hundred dollars."

Add after line 49, "for contingent expenses, three hundred dollars."

Strike out line 74.

Add after line 74, "for geological survey, for publication of geological maps, to accompany third volume of survey, eleven thousand seven hundred and fifty dollars, (reappropriated,) for completing volume 3, part 2, of Palæontology, two thousand dollars."

Strike out in line 79, "fifteen hundred dollars," and insert "seventeen hundred and fifty dollars."

In line 99, strike out "six hundred dollars" and insert "one thousand dollars."

In line 105, strike out "thirteen hundred dollars" and insert "one thousand dollars."

Strike out in line 107, "three hundred dollars," and insert "four hundred dollars."

Strike out lines 110 and 111 and insert, "for contingent and traveling expenses, six hundred dollars; for attorney's fees, four hundred dollars."

In line 113, strike out "fifteen hundred dollars" and insert "twelve hundred and fifty dollars."

In lines 156 and 157, strike out the words "who shall be the night watch of the State House generally."

Strike out lines 160, 161 and 162.

MISCELLANEOUS.

Strike out line 167.

Add after line 167 "For furnishing Senate committee room two hundred and eighty four dollars and sixty cents.

For carpet for House Clerk's office, one hundred and twenty-six dollars.

For Alfred Buckingham, M. D., services and expenses as commissioner on hog cholera, five hundred and eight dollars.

For Hershiser, Adams & Co., balance on contract and extra work at Columbus Asylum, eight hundred and seventy-nine dollars and twenty-eight cents.

To assist the commissioners of Shelby county, Ohio, in building a bridge across the Laramie Reservoir, between sections 31 and 32, to be expended under the supervision of the board of Public Works, one thousand dollars."

SEC. 2. In line 8, strike out "twenty-seven hundred dollars" and insert "twenty-eight hundred and fifty dollars."

Strike out line 11, and insert "for ordinary repairs and painting walls, four thousand dollars."

Strike out in line 17, "sixty-five thousand dollars" and insert "seventy-one thousand dollars."

Strike out in line 19, "two hundred dollars" and insert "four hundred dollars."

Strike out line 20 and insert "for ordinary repairs and painting walls, five thousand dollars.

And for extra pay to the superintendent for superintending the completion and furnishing of the Asylum, one thousand dollars."

Strike out line 36 and insert "for ordinary repairs and painting outside wall of main building, thenty-five hundred dollars."

Strike out line 41, and insert "for ordinary repairs and painting, forty-five hundred dollars."

Strike out in line 64, "five hundred dollars," and insert "one thousand dollars."

Strike out in line 74, "three hundred dollars," and insert "five hundred dollars."

Add after line 75, "heating main building, twelve hundred dollars."

JOHNSON SHERRICK, JOHN SEITZ,
J. M. CARSON, H. C. LORD,
H. W. CURTISS, THOS. M. BEER.

Mr. Sherrick moved that said bill and pending amendments be referred to the committee of the Whole, and made the special order in committee for 10½ o'clock A. M., on Monday next, and every day thereafter until disposed of.

Mr. Jackson of Perry moved to amend by striking out "Monday" and inserting in lieu thereof "Tuesday."

Which was agreed to.

The question being on agreeing to Mr. Sherrick's motion as amended, the yeas and nays were taken and resulted—yeas 21, nays 8, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Lord, Marsh, Owens, Richards, Sabine, Steedman, Stokes, Tyler, Williams and Wilson—21.

Those who voted in the negative were—

Messrs. Benson, Fisher, Forrest, Grove, Saltzgaber, Seitz, Sherrick and Wagener—8.

So the motion was agreed to.

Mr. Beer, on leave, offered the following joint resolution:

S. J. R. No. 51—*Be it resolved by the General Assembly of the State of Ohio*, That the superintendent of Dayton asylum for the insane be and he is hereby directed to receive into said asylum, Miss Amelia Pittenger, now a resident of Richland county, State of Ohio, and who has been declared insane, and whose insanity has been of less than two years' duration.

On motion of Mr. Curtiss, said joint resolution was referred to the committee on Benevolent Institutions.

Mr. Johnston submitted the following report:

The standing committee on Library, to whom was referred S. B. No. 169—To authorize the council of the city of Lima, to levy a tax for library purposes—

Having had the same under consideration, report it back and recommend its passage.

C. S. PARKER, JAMES W. OWENS,
H. W. CURTISS, J. R. JOHNSTON.

Said bill was ordered to be engrossed and read the third time to-morrow.

On motion of Mr. Kelley, the Senate took a recess.

THREE O'CLOCK P. M.

Mr. Curtiss submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 468—For the relief of B. W. Canfield, treasurer of Chardon township, Geauga county, Ohio—

Having had the same under consideration, report it back, and recommend its passage.

J. SHERRICK, JOHN SEITZ,
H. W. CURTISS, THOS. M. BEER.

Said bill was ordered to be engrossed and read the third time to-morrow.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 521—Mr. Norton—To protect railroad contractors.

H. B. No. 522—Mr. Loder—To authorize a temporary loan for sewerage purposes.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

Substitute for H. B. No. 95—Mr. Parker—To authorize and require the commissioners of Brown county to construct a free turnpike road from the terminus of the Mount Orab and Benton free pike to the terminus of the Fayetteville and Chasetown free turnpike road, and to pay the residue of the bonds issued by said commissioners on the Arnheim free turnpike, in excess of $3,500 per mile.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Tyler moved that the constitutional rule requiring bills to be read on three different days be suspended, that sub. for H. B. No. 95 may be read the second time.

On which motion, the yeas and nays were taken, and resulted—yeas 19, nays 3, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Lord, Marsh, Owens, Parker, Richards, Seitz, Steedman, Tyler and Williams—19.

Those who voted in the negative were—

Messrs. Benson, Johnston and Kelley—3.

So the motion, not having received a constitutional majority, was lost.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 519—Mr. Bloom—Relating to certain civil actions.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

Sub. for H. B. No. 76—Mr. Foster—Supplementary to the laws now in force relating to juries.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 475—Mr. Bohl—To amend the act of April 27, 1872, entitled "An act to regulate insurance companies doing an insurance business in the State of Ohio," (69, v. 140).

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested:

H. J. R. No. 47—Mr. Hostetter—Authorizing the Governor to execute a deed to John A. Mills, assignee of Peter Stoubs.

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Fisher, said joint resolution was referred to the committee on Claims.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 518—Mr. Seifert—To authorize the city of Lancaster, Ohio, to issue bonds to purchase cemetery grounds.

H. B. No. 519—Mr. Bloom—Relative to certain civil actions.

H. B. No. 520—Mr. Marsh—For the relief of Henry B. Bennett.

Attest: L. A. BRUNNER, *Clerk.*

Leave of absence was asked and obtained for Mr. Beer until Monday next.

Mr. Steedman arose to a question of privilege, and read from the Cincinnati Enquirer of April 26th, the following:

"Mr. Lovelace opposed the resolution on the ground that the Legislature had not power to delegate their authority. He thought there was no need of an investigation. The trustees do not want it; at least, Governor Bishop does not. No charges have been made against the trustees.

Mr. Wright—Yes, there have been charges made.

Mr. Lovelace—If charges have been made I have never heard them, and I do not believe there have been any.

Mr. Wright—Do you want a charge made?

Mr. Lovelace—Yes, sir, if you have one to make.

Mr. Wright—Then I charge that the trustees of the Cincinnati Southern railroad allowed Boyle & Roach, contractors for the construction of the King's mountain tunnel, an additional $25,000 over and above their contract price, which money was spent in Cincinnati and Columbus during the pendency of the six million bill.

Mr. Norton opposed the passage of the resolution, claiming that it was not within the authority of the Legislature to delegate to another body the power to conduct an investigation. Since Mr. Wright has made the charge that $25,000 was spent in this city for the passage of the six million bill, it now becomes the duty of the House to demand an investigation. When he makes that charge it is a direct insult on every member of the 62d General Assembly, and it should be investigated to the bottom.

Mr. Wright—General Steedman is my authority for the charge.

Mr. Steedman stated that he was not the author of said charges, as made by Mr. Wright, and offered for adoption the following resolution:

S. R. No. 54—*Resolved by the Senate*, That a select committee of three be appointed with power to send for persons and papers to investigate the charges made by Mr. Wright, on the floor of the House, against the trustees of the Cincinnati Southern R. R., and report the result of such investigation to the Senate.

Mr. Richards moved to amend said resolution as follows:

"And that said committee be authorized to employ a short hand reporter."

Which was agreed to.

Mr. Owens moved to further amend said resolution by adding the following thereto, after the word "railroad," viz:

"And any or all other charges made against members of the Sixty-second General Assembly for corruption in reference to the Cincinnati Southern R. R. legislation."

Which was agreed to.

The question being on the adoption of said resolution, the yeas and nays were demanded, taken and resulted—yeas 21, nays 5, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Grove, Howland, Jackson of Clinton, Johnston, Joy, Kelley, Lord, Marsh, Owens, Richards, Sabine, Steedman, Tyler, Williams and Wilson—21.

Those who voted in the negative were—

Messrs. Fisher, Krimmel, Parker, Saltzgaber and Seitz—5

So the resolution was adopted.

The President announced the appointment of Messrs. Owens, Fisher, Seitz, Stokes, Beer and Beebe, as the select committee of six to whom was referred H. B. No. 488.

Mr. Owens moved that the following title be added to S. R. No. 54:

WHEREAS, Charges of corruption have been made against members of

the Sixty-second General Assembly in connection with the passage of the bill authorizing an additional loan of $6,000,000 for the completion of the Cincinnati Southern R. R.; therefore—

Which was agreed to.

Mr. Johnston submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled the following bills:

H. B. No. 364—Supplementary to the act entitled "An act relating to the payment of certain bonds of the city of Xenia," passed February 22, 1877, (O. L., vol. 74, p. 396.)

H. B. No. 462—To authorize township trustees to procure, by purchase or otherwise, material for road purposes.

F. M. Carter, J. R. Johnston,
Wm. Jessup, C. R. Harmon,
E. S. Perkins, D. Dow,
A. D. Marsh.

Mr. Fisher submitted the following report:

The committee on Revision has examined, and found correctly engrossed S. J. R. No. 49—Mr. Owens—To provide for the publication of the Ohio State reports, and the advance sheets of the same.

Geo. W. Wilson,
J. M. Carson,
J. C. Fisher.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 70—Mr. Dungan—To punish certain offenses therein named.

Attest: L. A. Brunner, *Clerk.*

Mr. Wilson submitted the following report:

The committee on Revision has examined, and found correctly engrossed, Sub. for H. B. No. 103—Mr. Swaim.

G. W. Wilson,
J. M. Carson,
J. C. Fisher.

Mr. Lord moved that Sub. for S. B. No. 137 be taken from the table.

Which was agreed to.

Mr. Wilson moved to reconsider the vote whereby H. B. No. 103 was passed.

On which motion, the yeas and nays were demanded, taken and resulted—yeas 9, nays 16, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley, Richards, Sabine and Wilson—9.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Fisher, Forrest, Grove, Krimmel, Lord, Marsh, Owens, Parker, Saltzgaber, Seitz, Tyler and Williams—16.

So the motion was disagreed to.

The pending question on Sub. for S. B. No. 137, being Mr. Tyler's motion to amend Mr. Howland's motion to refer with instructions.

The same was disagreed to.

The question recurring on Mr. Howland's motion to refer with instructions, the same was agreed to, and Mr. Howland was appointed such committee.

Mr. Howland, on leave, submitted the following report:

The select committee of one, to whom was referred Sub. for S. B. No. 137, with instructions to amend, reports the same back amended as instructed.

W. P. HOWLAND.

Mr. Howland moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out all of section 1 after the words "to wit:" at the end of line 7, to the end of the section, and insert:

"That it shall be unlawful for any person or persons, as agent or otherwise, to offer for sale, for illuminating purposes, any mineral or petroleum oils, or any fluid or substance which is a product of petroleum, or into which petroleum enters, or is found as a c nstituent element, until he knows the same will bear a test of one hundred and ten degrees Fahrenheit, and the same has been tested in the manner following, to-wit: By taking not less than a half pint of the oil, fluid, or substance to be tested, and placing the same in a small vessel, in which there is no other substance, of such dimensions that the surface of the oil, fluid, or substance shall not exceed six nor be less than four square inches in area, and placing a Fahrenheit thermometer in said oil, fluid, or substance, in said vessel, in such a manner that the thermometer will indicate the temperature of the oil or substance being tested, which shall then be gradually heated, at a rate of not less than two nor more than four degrees, Fahrenheit, per minute, to a temperature at which said oil, fluid or substance will emit a gas or vapor that will ignite by bringing the flame of a lighted match, or other burning taper, in contact with the surface of the article being tested, and by applying the flame of the lighted match or taper to the surface of the article being tested, with such frequency and in such manner as to ascertain the exact temperature by said thermometer, at which said fluid, oil, or substance will emit a gas or vapor that will ignite; and if it emit a gas or vapor that will ignite at any temperature below one hundred and ten degrees, Fahrenheit, then it is hereby declared to be dangerous, and it shall be unlawful to sell or offer the same for sale."

On which motion, the yeas and nays were demanded, taken and resulted—yeas 8, nays 16, as follows:

Those who voted in the affirmative were—

Messrs. Benson, Curtiss, Fisher, Howland, Jackson of Clinton, Kelley, Parker and Sabine—8.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Carlisle, Carson, Forrest, Grove, Johnston, Joy, Krimmel, Lord, Marsh, Owens, Richards, Saltzgaber, Seitz and Steedman—16.

So the motion was disagreed to.

Mr. Curtiss moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out section 5.

On which motion the yeas and nays were demanded, taken and resulted—yeas 6, nays 17, as follows:

Those who voted in the affirmative were—

Messrs. Benson, Curtiss, Howland, Richards, Seitz and Wilson—6.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Carson, Fisher, Forrest, Grove, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Saltzgaber, Steedman and Tyler—17.

So the motion was disagreed to.

Mr. Johnston moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out of section 1 all after the word "State," in line 64, of said section.

Which was agreed to, and Mr. Johnston was appointed such committee.

Mr. Johnston, on leave, submitted the following report:

The select committee of one, to whom was referred substitute for S. B. No. 137, with instructions to amend, reports the same back amended as instructed.

J. R. Johnston.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Richards, Saltzgaber, Seitz, Steedman, Tyler and Wilson—24.

So the bill passed. The title was agreed to.

Mr. Curtiss submitted the following report:

The standing committee on Benevolent Institutions, to whom was referred S. J. R. No. 51—Directing the Superintendent of the Dayton Asylum for the Insane to receive a certain person into said institution as an inmate—

Having had the same under consideration, report it back, and recommend its adoption.

H. W. Curtiss, B. W. Carlisle,
G. A. Grove, C. F. Krimmel,
Geo. P. Tyler.

The question being on the adoption of said joint resolution, the yeas and nays were taken, and resulted—yeas 22, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Curtiss, Fisher, Grove, Howland, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Richards, Seitz, Steedman, Tyler and Wilson—22.

So said joint resolution was adopted.

Mr. Benson submitted the following report:

The standing committee on Agriculture, to whom was referred S. B. No. 175—To regulate loans by agricultural societies—

Having had the same under consideration, report it back and recommend its passage.

W. H. Stokes, B. W. Carlisle,
J. H. Benson, J. B. Williams,
J. M. Carson, Thos. S. Jackson.

Said bill was ordered to be engrossed, and read the third time to-morrow.

Mr. Krimmel submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following joint resolution:

Sub. for S. J. R. No. 39—Providing for a committee to investigate the condition of the affairs of the trustees of the Cincinnati Southern Railway.

C. F. KRIMMEL, J. W. WASHBURN,
J. R. JOHNSTON, E. S. PERKINS,
R. G. RICHARDS, DUNCAN DOW,
WM. JESSUP, F. M. CARTER.

Mr. Krimmel submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled the following joint resolution:

Sub. for S. J. R. No. 46—Relative to the adjournment of the 63d General Assembly.

C. F. KRIMMEL, R. G. RICHARDS,
J. R. JOHNSTON. WM. JESSUP,
F. M. CARTER, J. W. WASHBURN.

Mr. Krimmel submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled the following bills and joint resolution:

H. B. No. 336—To authorize the trustees of Salem township, Warren county, Ohio, to transfer certain funds therein named to the township fund of said township.

H. B. No. 392—To make temporary transfers, heretofore made by the county commissioners of Vinton county, permanent.

H. B. No. 329—To authorize the commissioners of Adams county to construct a free turnpike road from the terminus of the Russeliville and Winchester free turnpike road, at the Brown county line, to the village of Winchester, in said county of Adams.

H. J. R. No. 28—Instructing the Board of Directors of the Ohio Penitentiary to employ an architect to estimate the cost of certain repairs in said institution.

F. M. CARTER, WM. JESSUP,
A. D. MARSH, E. S. PERKINS,
C. R. HARMON, DUNCAN DOW,
C. F. KRIMMEL.

Mr. Marsh submitted the following report:

The standing committee on Fish Culture and Game, to whom was referred H. B. No. 36—To amend sections five and six of "An act to protect certain birds and game, and to protect land-owners, and punish trespassing upon improved or enclosed land, and to repeal certain statutes therein designated," passed April 20, 1874, (O. L., vol. 71, p. 147)—

Having had the same under consideration, report it back, and recommend its indefinite postponement.

THEO. MARSH, JAMES B. STEEDMAN,
J. C. FISHER, R. G. RICHARDS,
C. S. PARKER.

Mr. Carlisle moved that said report be laid upon the table.
Which was agreed to.
On motion of Mr. Carson, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

SATURDAY, APRIL 27, 1878—10 o'clock A. M.

The Senate met pursuant to adjournment.
Prayer by Rev. J. L. Grover.
The Journal was read and approved.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 462—Mr. Cowgill—To authorize township trustees to procure, by purchase or otherwise, material for road purposes.

H. B. No. 364—Mr. Greene—Supplementary to the act entitled "An act relating to the payment of certain bonds of the city of Xenia," passed February 22, 1877, (O. L., vol. 74, p. 396).

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The conference committee to whom was referred the differences existing between the two Houses on—

H. B. No. 22—Mr. Dalzell—For the relief of ex-Union soldiers and their heirs—

Have reported that they cannot agree, and have been discharged from the further consideration of said bill.

And the House of Representatives asks for the appointment of another committee of conference.

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Fisher, the request of the House was acceded to, and the President appointed Messrs. Forrest, Lord and Kelley as such committee on part of the Senate.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives requests the return of—

H. B. No. 403—Mr. Alexander—Making appropriations for the fiscal year 1878, and the first quarter of the fiscal year 1879.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Johnston moved that the request of the House be acceded to.
Mr. Forrest moved that said motion be laid on the table.
Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following joint resolutions:

Sub. for S. J. R. No. 46—Mr. Carson—Relative to the adjournment of the 63d General Assembly.

Sub. for S. J. R. No. 39—Mr. Armstrong—Providing for a committee to investigate the condition of the affairs of the trustees of the Cincinnati Southern Railway.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said joint resolutions.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 480—Mr. Poe—To amend section 1 of an act entitled "An act for the relief of benevolent and charitable associations managed by women," passed March 30, 1866.

H. B. No. 490—Mr. Herrick—To authorize the transfer of funds in treasury of the the incorporated village of Elyria, Lorain county.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

Mr. Steedman presented the petition of citizens of Lucas county, asking for the abandonment of a portion of the Miami and Erie canal.

Which was referred to the committee on Public Works.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the adoption of the following joint resolution:

S. J. R. No. 51—Mr. Beer—Directing the Superintendent of the Dayton Asylum to receive a certain person into said institution as an inmate.

Attest: L. A. BRUNNER, *Clerk.*

Bills were read the second time and referred as follows:

Sub. for H. B. No. 95—Mr. Parker—To authorize and require the commissioners of Brown county, Ohio, to levy a tax and issue county bonds to pay the bonds issued by the commissioners of said county for the

construction of the Arnheim free turnpike, and interest and bonds of certain other roads in said county.

To committee on Railroads, Telegraphs and Turnpikes.

Sub. for H. B. No. 76—Mr. Foster—Supplementary to the laws now in force relating to juries.

To committee on Judiciary.

H. B. No. 475—Mr. Bohl—To amend the act of April 27, 1872, entitled "An act to regulate insurance companies doing an insurance business in the State of Ohio," (69 vol., 140).

To committee on Insurance.

H. B. No. 519—Mr. Bloom—Relative to certain civil actions.

Mr. Wilson moved that the constitutional rule requiring bills to be read on three different days be suspended, that H. B. No. 519 may be read the third time.

On which motion, the yeas and nays were taken and resulted—yeas 27, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Richards, Saltzgaber, Seitz, Steedman, Tyler, Wagener, Williams and Wilson—27.

So the motion was agreed to, and said bill was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 25, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Richards, Saltzgaber, Seitz, Steedman, Tyler, Wagener, Williams and Wilson—25.

So the bill was passed. The title was agreed to.

Mr. Carlisle moved to take from the table S. B. No. 172.

Which was agreed to.

The question being on concurring in the House amendment to said bill—

The yeas and nays were taken, and resulted—yeas 1, nays 24, as follows:

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Carlisle, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Tyler, Wagener, Williams and Wilson—24.

Mr. Carson voted in the affirmative—1.

So the Senate refused to concur in said amendment.

Mr. Carlisle moved that a conference committee be appointed on the differences between the two Houses on S. B. No. 172.

Which was agreed to, and the President appointed Messrs. Carlisle, Carson and Richards as such conference committee on the part of the Senate.

The President announced the appointment of Messrs. Steedman, Jackson of Perry and Wilson as committee in pursuance of S. R. No. 54.

Mr. Krimmel submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled the following bill:

S. B. No. 70—An act to punish certain offenses therein named.

C. F. Krimmel, J. R. Johnston,
R. G. Richards, Wm. Jessup,
Duncan Dow, J. W. Washburn,
C. R. Harmon.

H. B. No. 417—Mr. Sullivan of Hamilton—To authorize the trustees of Spencer township, Hamilton county, Ohio, to sell and convey a certain tract of land, and to reinvest the proceeds.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 23, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Johnston, Joy, Kelley, Lord, Marsh, Owens, Parker, Sabine, Saltzgaber, Seitz, Tyler, Wagener and Williams —23.

So the bill was passed. The title was agreed to.

Substitute for S. B. No. 114—Mr. Saltzgaber—Supplementary to an act, and defining the powers and duties of notaries public.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 22, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Jackson of Clinton, Joy, Kelley, Lord, Marsh, Owens, Parker, Sabine, Saltzgaber, Seitz, Tyler, Wagener and Wilson—22.

Those who voted in the negative were—

Messrs. Howland and Johnston—2.

So the bill was passed. The title was agreed to.

S. B. No. 108—Mr. Lord—To authorize the board of education of South Bend school district, in Delhi township, Hamilton county, Ohio, to issue bonds to obtain money for building a school house.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Johnston, Kelley, Lord, Marsh, Owens, Parker, Sabine, Saltzgaber, Steedman, Tyler, Wagener and Wilson—22.

So the bill was passed. The title was agreed to.

Mr. Carson submitted the following report:

The committee on Revision has examined, and correctly engrossed sub. for S. B. No. 137, having corrected the language by striking out of lines 5 and 6 in section 11 the words "the person selling such oil or causing the same to be sold."

G. M. Saltzgaber,
J. M. Carson,
J. C. Fisher.

H. B. No. 465—Mr. Dempcy—To authorize the trustees of the town-

ship of Mayfield, Cuyahoga county, to transfer funds therein named.

Was read the third time.

The question being, "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 23, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Johnston, Kelley, Lord, Marsh, Owens, Parker, Sabine, Saltzgaber, Seitz, Steedman, Tyler, Wagener and Wilson—23.

So the bill was passed. The title was agreed to.

H. B. No. 440—Mr. Hayman—To authorize the commissioners of Scioto county, to borrrow money on the bonds of the county, to discharge the existing liabilities of said county, now in the shape of turnp ke floating orders.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Johnston, Kelley, Marsh, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Tyler, Wagener and Wilson—23.

So the bill was passed. The title was agreed to.

H. B. No. 386—Mr. Quinby—To authorize the trustees of Richland township, Clinton county, Ohio, to transfer certain funds therein named.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 25, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Johnston, Joy, Kelley, Lord, Marsh, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Tyler, Wagener and Wilson—25.

So the bill was passed. The title was agreed to.

H. B. No. 436—Mr. Groschner—To authorize the board of education of Napoleon, Henry county, to issue bonds for the redemption of maturing bonds already outstanding.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 27, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Tyler, Wagener, Williams and Wilson—27.

So the bill was passed. The title was agreed to.

S. B. No. 178—Mr. Curtiss—To authorize the directors of the union school district of Chagrin Falls, Cuyahoga county, to levy and assess an additional tax.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 26, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Carson, Curtiss, Fisher, Forrest,

Grove, Howland, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Tyler, Wagener and Wilson—26.

So the bill was passed. The title was agreed to.

S. B. No. 169—Mr. Saltzgaber—To authorize the council of the city of Lima to levy a tax for library purposes.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 26, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Richards, Sabine, Saltzgaber, Steedman, Tyler, Wagener and Wilson—26.

Mr. Seitz voted in the negative—1.

So the bill was passed. The title was agreed to.

Leave of absence was asked and obtained for Mr. Saltzgaber for this afternoon.

H. B. No. 468—Mr. Hitchcock—For the relief of B. W. Canfield, treasurer of Chardon township, Geauga county, Ohio.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 25, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, Parker, Richards, Sabine, Saltzgaber, Seitz, Tyler, Wagener, Williams and Wilson—25.

Mr. Owens voted in the negative—1.

So the bill was passed. The title was agreed to.

S. B. No. 175—Mr. Fisher—To regulate loans by agricultural societies.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 23, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, Marsh, Parker, Richards, Sabine, Saltzgaber, Tyler, Wagener, Williams and Wilson—23.

Those who voted in the negative were—

Messrs. Owens and Seitz—2.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested.

H. B. No. 438—Mr. Achauer—To authorize the commissioners of Muskingum county to borrow money and build a county infirmary.

Attest: L. A. BRUNNER, *Clerk*.

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 483—Mr. Ellis—To authorize the commissioners of Ottawa county to borrow money to pay indebtedness and loss caused by the failure of the city bank of Toledo.

H. B. No. 396—Mr. Sage—To amend section six of an act entitled "An act to provide for the straightening, clearing out, widening, deepening and otherwise improving certain ditchs, draines and water courses in Wood county, Ohio, passed April 11, 1876, (O. L., v. 73, p. 303).

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 47—Mr. Owens—To authorize and empower the auditor of Licking county to refund certain taxes improperly collected.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

S. B. No. 70—Mr. Dungan—To punish certain offences therein named.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bill.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 156—Mr. Marsh—Directing how cities of the first class having accepted property or funds upon condition of establishing and maintaining an astronomical observatory, shall provide for the support of the same.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested

H. B. No. 472—Mr. Wolf—To divide Falls township, Hocking county, into two election precincts.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Tyler submitted the following report:

The standing committee on Railroads, Telegraphs and Turnpikes, to whom was referred H. B. No. 95—To authorize the commissioners of Brown county, Ohio, to levy a tax and issue bonds to pay the bonds issued by the commissioners of said county for the construction of the Arnhiem free turnpike, and interest and bonds of certain other roads in in said county—

Having had the same under consideration, report it back, and recommend its passage.

GEO. P. TYLER, H. C. LORD,
J. C. FISHER, H. SABINE,
J. M. CARSON, D. JOY.

Mr. Forrest moved that the report of the committee and bill be laid upon the table.

Which was disagreed to.

Mr. Tyler moved that the bill be printed and read the third time on Monday next.

Which was agreed to.

Mr. Marsh submitted the following report:

The committee of Conference, to whom was referred H. B. No. 96, as amended by Senate—

Having had the same under consideration, have agreed as to the following amendments made by the Senate, to-wit:

Nos. 3, 7, and 9, and recommend that the House concur therein, and the committee is unable to agree as to the 1, 2, 4, 5, 6 and 8, and ask to be discharged from the further consideration of the same.

S. A. HOSTETTER,
E. R. SAGE,
J. W. WASHBURN,
House Committee.

THEO. MARSH,
GEO. P. TYLER,
D. D. BEEBE,
Senate Committee.

The question being on agreeing to said report, the yeas and nays were demanded, taken and resulted—yeas 18, nays 7, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Fisher, Forrest, Grove, Krimmel, Lord, Marsh, Owens, Parker, Saltzgaber, Seitz, Tyler, Wagener and Williams—18.

Those who voted in the nogative were—

Messrs. Curtiss, Howland, Jackson of Clinton, Johnston, Kelley, Richards and Sabine—7.

So the report of the Conference committee was agreed to.

The President appointed as Conference committee on H. B. No. 96, Messrs. Grove, Wagener and Jackson of Clinton, on part of the Senate, to consider Senate amendments 1, 2, 4, 5, 6 and 8.

Mr. Grove moved that H. B. No. 189 be taken from the table.

Which was agreed to.

The question being on the passage of the bill, Mr. Grove moved to refer the bill to a select committee of one with instructions to amend as follows:

In line 17, section 4, after "1867," add the words, "or the acts amendatory thereof or supplementary."

Which was agreed to, and Mr. Grove was appointed such committee.

Mr. Grove, on leave, submitted the following report:

The select committee of one, to whom was referred Sub. for H. B. No. 189, with instructions to amend, reports the same back amended as instructed.

G. A. Grove.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 21, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Carson, Curtiss, Fisher, Grove, Howland, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, Marsh, Parker, Richards, Saltzgaber, Tyler, Wagener, Williams and Wilson—21.

Messrs. Forrest and Seitz voted in the negative—2.

So the bill was passed. The title was agreed to.

Mr. Lord, on leave, offered the following joint resolution:

S. J. R. No. 52—To appoint a joint committee to ascertain upon what terms Longview Asylum can be transferred to the State of Ohio.

Be it resolved by the General Assembly of the State of Ohio, That a committee of two on the part of the Senate, and three on the part of the House of Representatives, be appointed to confer with the commissioners of Hamilton county, and other proper boards and officers, to ascertain how and upon what terms the Longview Asylum for Lunatics can be acquired by, or transferred to, the State of Ohio, to report at the next session of the General Assembly.

The question being on the adoption of said joint resolution, the yeas and nays were taken and resulted—yeas 19, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Curtiss, Fisher, Forrest, Grove, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Richards, Saltzgaber, Wagener, Williams and Wilson—19.

Mr. Seitz voted in the negative—1.

So the joint resolution was adopted.

Leave of absence was asked and obtained for Mr. Jackson of Perry, until Tuesday next.

Mr. Wilson submitted the following report:

The standing committee on Public Works and Public Lands, to whom was referred H. B. No. 349—To authorize certain cities of the second class to levy additional taxes—

Having had the same under consideration, report it back, with following amendments, and recommend its passage when so amended:

At the end of section 1, add the following: "Provided, that such extra tax shall not be levied until the question of making such levy shall be submitted to the electors of such city, at some general or special election to be held at the usual voting places in the city, after the mayor shall have caused at least ten days' notice thereof to be published in some newspaper published in such city, and a majority of the votes cast

shall be in favor of the same. The ballots therefor may be on any general ticket, and shall have printed or written thereon the words, Extra Tax—Yes; Extra Tax—No."

G. W. Wilson, G. A. Grove,
James B. Steedman, H. C. Lord,
W. P. Howland.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time on Saturday next.

Mr. Wilson submitted the following report:

The standing committee on Public Works and Public Lands, to whom was referred S. J. R. No. 50—

Having had the same under consideration, report it back, and recommend its adoption.

G. W. Wilson, James B. Steedman,
G. A. Grove, H. C. Lord.

The question being on the adoption of said joint resolution, the yeas and nays were taken and resulted—yeas 21, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Curtiss, Fisher, Forrest, Grove, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Richards, Seitz, Wagener, Williams and Wilson—21.

Mr. Carson voted in the negative—1.

So said joint resolution was adopted.

Mr. Johnston moved that the Senate take a recess.

Mr. Curtiss moved that the Senate adjourn.

On which motion the yeas and nays were demanded taken, and resulted—yeas12, nays 11, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Curtiss, Fisher, Jackson of Clinton, Johnston, Kelley, Lord, Marsh, Richards, Tyler, Williams and Wilson—12.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Forrest, Grove, Krimmel, Owens, Parker, Seitz and Wagener—11.

So the motion was agreed to, and the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk*.

Monday, April 29, 1878—10 o'clock A. M.

The Senate met pursuant to adjournment.

Prayer by Rev. S. G. Hopkins.

The Journal was read and approved.

Mr. Parker asked and obtained leave of absence for Charles Negley, 1st Assistant Sergeant-at-Arms, for to-day.

Bills were read the second time and referred as follows:

H. B. No. 480—Mr. Poe—To amend section 1 of an act entitled "An act for the relief of benevolent and charitable associations managed by women," passed March 30, 1866.

To committee on Benevolent Institutions.

H. B. No. 490—Mr. Herrick—To authorize the transfer of funds in the treasury of the incorporated village of Elyria, Lorain county.

To committee on Municipal Corporations.

H. B. No. 396—Mr. Sage—To amend section 6 of an act entitled "An act to provide for the straightening, clearing out, widening, deepening, and otherwise improving certain ditches, drains and water-courses, in Wood county, Ohio," passed April 11, 1876, (O. L., v. 73, p. 303).

To committee on Drains and Drainage.

H. B. No. 472—Mr. Wolf—To divide Falls township, Hocking county, into two election precincts.

To committee on Corporations other than Municipal.

H. B. No. 438—Mr. Achauer—To authorize the commissioners of Muskingum county to borrow money and build a county infirmary.

To committee on Finance.

H. B. No. 483—Mr. Ellis—To authorize the commissioners of Ottowa county to borrow money, to pay indebtedness and loss caused by the failure of the city bank of Toledo.

To committee on Finance.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 419—Mr. Haley—For the relief of Joseph D. Philbrick, and his securities, treasurer of McDonald township, Hardin county, Ohio.

H. B. No. 469—Mr. Herrick—To authorize the trustees and the board of education of Sheffield township, Lorain county, to build a town hall and school house jointly.

H. B. No. 457—Mr. Clough—To authorize private cemetery associations brought within the corporate limits of incorporated villages to become incorporated.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

On motion of Mr. Tyler, H. B. No. 95 was laid upon the table.

Mr. Wagener moved that the vote by which H. B. No. 403 was made the special order for Tuesday at half-past ten o'clock be reconsidered.

Mr. Johnston demanded a call of the Senate.

Messrs. Armstrong, Beebe, Curtiss, Grove, Howland, Irvine, Jackson of Clinton, Krimmel, Lord, Marsh and Saltzgaber were absent.

Mr. Seitz moved that further proceedings under the call be dispensed with.

Which was agreed to.

Leave of absence was asked and obtained for Mr. Howland for to-day.

The question recurring on the motion to reconsider, the same was agreed to.

Mr. Sherrick moved that H. B. No. 403 be made a special order for to-morrow at 10 o'clock.

Which was disagreed to.

On motion of Mr. Sherrick, the Senate went into committee of the Whole, for the consideration of H. B. No. 403.

After some time spent therein, arose, reported progress, and asked leave to sit again.

Which was granted.

On motion of Mr. Richards, the Senate took a recess.

THREE O'CLOCK P. M.

Mr. Lord moved that the vote by which S. B. No. 108 was passed be reconsidered.

Which was agreed to.

Mr. Johnston moved that a message be sent to the House, requesting the return of said S. B. No. 108.

Which was agreed to.

Mr. Curtiss moved that the vote whereby H. B. No. 519 was passed be reconsidered.

Which was agreed to.

Mr. Curtiss moved that a message be sent to the House requesting the return of said H. B. No. 519.

Which was agreed to.

Mr. Sherrick offered the following joint resolution:

S. J. R. No. 53—*Be it resolved by the General Assembly of the State of Ohio*, That the warden of the penitentiary shall furnish to the superintendent of the Columbus asylum for the insane such prisoners (not otherwise employed) as in his judgment may, with safety, be entrusted to do labor outside the walls of the prison; also, a suitable number of guards, who shall have charge of such prisoners. Said prisoners shall be employed in grading and fencing the grounds of said asylum, under the direction of the superintendent. The penitentiary shall be paid at the rate of 50 cents per day for each prisoner so employed, out of the grading and fencing fund for said asylum.

The question being on the adoption of said joint resolution, the yeas and nays were taken and resulted—yeas 19, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Benson, Carson, Dungan, Fisher, Forrest, Howland, Jackson of Clinton, Kelley, Lord, Owens, Parker, Richards, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Wilson—19.

Mr. Johnston voted in the negative—1.

So the joint resolution was adopted.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 416—Mr. Alexander—To authorize the city council of Bellaire, Ohio, to appropriate and pay the amount assumed by said city for purchase of site for State tobacco warehouse.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 523—Mr. Scott—To permit certain animals to run at large, and to repeal certain acts therein named.

H. B. No. 524—Mr. Foster—To authorize the incorporation of associations for the reclamation of both men and women from lives of intemperance and immorality.

H. B. No. 525—Mr. Mackey—To authorize the creating of a special school district in Springfield township, Mahoning county, Ohio.

H. B. No. 526—Mr. Bull—For the relief of Joseph Stoffer.

H. B. No. 527—Mr. Covert—Providing for the examination of applicants for admission to the medical profession.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has indefinitely postponed the following bill:

S. B. No. 91—Mr. Carlisle—To create a special school district in Rush creek township, Fairfield county, Ohio.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 476—Mr. Parker—To authorize the township clerk of Pike township, Brown county, Ohio, to issue an order in favor of G. E. Padgitt, for services as a school teacher.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has appointed Messrs. Townsend, Bohl and Meuser a committee of Conference to consider the differences existing between the two Houses on—

S. B. No. 172—Mr. Carlisle—To authorize the commissioners of Athens county, Ohio, to build a court house.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives, and read the first time:

H. B. No. 528—Mr. Poe—Amendatory of an act entitled "An act or the better security of head contractors, sub contractors and material men, and to repeal certain acts therein named," passed May 4, 1877, and to repeal certain sections of said act.

H. B. No. 529—Mr. Bohl—To amend an act entitled "An act to provide for establishing an insurance department in the State of Ohio," passed March 12, 1872, as amended April 26, 1873.

Attest: L. A. BRUNNER, *Clerk.*

On demand of Mr. Tyler a call of the Senate was had.

Messrs. Armstrong, Irvine, Marsh and Saltzgaber were absent.

On motion of Mr. Krimmel, further proceedings under the call were dispensed with.

Mr. Tyler moved to take from the table substitute for H. B. No. 95.

Which was agreed to.

Mr. Forrest moved that the further consideration of said bill be postponed until Saturday next.

Which was disagreed to.

Said sub. for H. B. No. 95 was read the third time.

Mr. Forrest moved to refer the bill to a select committee of one with instructions to amend as follows:

Insert in line 3 of section 4 after the word "boards," the following:

"Provided, that no step shall be taken by said commissioners in the construction of such free turnpike roads, nor shall they pay any bonds, or issue any bonds of said county as provided in this and the preceding sections, until the subject matter thereof shall be submitted to a vote of the people of said county at either a general or special election. That all voting for the construction of such free turnpike road. the payment of said bonds and the issuance of the bonds of said county, shall have written or printed thereon the words "For the construction of free turnpike roads, issuance of bonds and payment of other bonds for free turnpike road purposes, yes;" and all voting against shall have written or printed thereon the words "For the construction of free turnpike roads, issuance of bonds and payment of other bonds for free turnpike road purposes, no;" and the returns of such election shall be made in the same manner as other general or special elections, and the result in like manner declared."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 6, nays 22, as follows:

Those who voted in the affirmative were—

Messrs. Carson, Fisher, Forrest, Seitz, Stokes and Wagener—6.

Those who voted in the negative were—

Messrs. Beebe, Benson, Carlisle, Curtiss, Dungan, Grove, Howland, Jackson of Clinton, Joy, Kelley, Krimmel, Lord, Owens, Parker, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Tyler, Williams and Wilson—22.

So the motion was disagreed to.

Mr. Forrest moved that the further consideration of said bill be postponed until Saturday next.

On which motion the yeas and nays were demanded, taken and resulted—yeas 10, nays 17, as follows:

Those who voted in the affirmative were—

Messrs. Benson, Carson, Dungan, Fisher, Forrest, Joy, Seitz, Sherrick, Stokes and Wagener—10.

Those who voted in the negative were—

Messrs. Beebe, Carlisle, Curtiss, Grove, Howland, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord. Owens, Richards, Sabine, Steedman, Tyler, Williams and Wilson—17.

So the motion was disagreed to.

Mr. Fisher moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out in line 3 section 1, and in line 1 section 3 the words "and required."

On which motion the yeas and nays were demanded, taken and resulted—yeas 22, nays 7, as follows:

Those who voted in the affirmative were—

Messrs. Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Johnston, Joy, Kelley, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Wagener, Williams and Wilson—22.

Those who voted in the negative were—

Messrs. Beebe, Benson, Howland, Jackson of Clinton, Krimmel, Lord and Tyler—7.

So the motion to refer was agreed to, and Mr. Fisher was appointed such committee.

Mr. Fisher, on leave, submitted the following report:

The select committee of one, to whom was referred H. B. No. 95, with instructions to amend, reports the same back, amended as instructed.

J. C. Fisher.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 25, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Jackson of Clinton, Joy, Kelley, Krimmel, Lord, Owens, Parker, Richards, Sabine, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—25.

Mr. Forrest voted in the negative—1.

So the bill was passed.

Mr. Steedman moved to amend the title by striking therefrom the words "and require."

Which was agreed to.

The title, as amended, was agreed to.

Mr. Fisher submitted the following report:

The committee on Revision has examined, and found correctly engrossed, S. J. R. No. 53.

J. C. Fisher,
G. M. Saltzgaber,
G. W. Wilson.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the adoption of the following joint resolution:

S. J. R. No. 52—Mr. Lord—To appoint a joint committee to ascertain upon what terms Longview asylum can be transferred to the State of Ohio.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives accedes to the request of the Senate, and herewith returns S. B. No. 108, by Mr. Lord, and H. B. No. 519, by Mr. Bloom.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Curtiss moved that H. B. No. 519 be laid upon the table.

Which was agreed to.

Mr. Carlisle moved to take from the table H. B. No. 72.

Which was agreed to.

Mr. Forrest moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out of line 14, of section 6, the words "probate court of Franklin county", and insert "Auditor of State."

Strike out of line 15, of section 6, the words "before the said court."

Strike out of line 1, of section 7, the words "probate judge," and insert "Auditor of State."

Strike out of line 4, of section 7, the words "the judge," and insert "he."

Strike out of line 8, of section 7, the words "judge of said probate court," and insert "Auditor of State."

Strike out of line 11, of section 7, the words "probate court," and insert "Auditor of State."

Strike out of line 13, of section 7, the words "probate court," and insert "Auditor of State."

Strike out section 8, and change the numbers of the succeeding sections to correspond.

Which was agreed to, and Mr. Forrest was appointed such committee.

Mr. Forrest, on leave submitted the following report:

The select committee of one, to whom was referred H. B. No. 72, with instructions to amend, reports the same back amended as instructed.

W. T. FORREST.

On demand of Mr. Carlisle, a call of the Senate was had.

Messrs. Armstrong, Irvine and Marsh were absent.

Leave of absence was asked and obtained for Messrs. Armstrong and Irvine until to-morrow.

On motion of Mr. Carlisle, further proceedings under the call were dispensed with.

Mr. Johnston moved that the further consideration of said bill be postponed until Saturday next.

Which was disagreed to.

Mr. Forrest moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out of line 3, of section 3, the words "probate court of Franklin county," and insert "Attorney General."

Strike out of line 8 the words "recorded in the journal of said probate court, and."

Which was agreed to, and Mr. Forrest was appointed such committee.

Mr. Forrest, on leave, submitted the following report:

The select committee of one, to whom was referred H. B. No. 72, with instructions to amend, reports the same back amended as instructed.

W. T. FORREST.

Mr. Steedman moved to refer the bill to a select committee of one, with instructions to amend as follows:

In section 1, line 5, strike out the word "two," and insert in lieu thereof the word "one."

Which was agreed to, and Mr. Steedman was appointed such committee.

Mr. Steedman on leave, submitted the following report:

The select committee of one, to whom was referred H. B. No. 72, with instructions to amend, reports the same back amended as instructed.

JAMES B. STEEDMAN.

Mr. Johnston moved to refer the bill to a select committee of one, with instructions to amend as follows:

Insert after the word "one," in line 5, section 1, the word "only."

Which was agreed to, and Mr. Johnston was appointed such committee.

Mr. Johnston, on leave, submitted the following report:

The select committee of one, to whom was referred H. B. No. 72, with instructions to amend, reports the same back amended as instructed.

J. R. JOHNSTON.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 20, nays 9, as follows:

Those who voted in the affirmative were—

Messrs. Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Joy, Krimmel, Lord, Owens, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—20.

Those who voted in the negative were—

Messrs. Beebe, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley, Richards, Sabine and Wilson—9.

So the bill passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has appointed Messrs. Washburn, Hardy of Defiance and Edwards as a conference committee on the part of the House, to consider the differences existing between the two Houses on—

H. B. No. 22—Mr. Dalzell—For the relief of ex-Union soldiers, and their heirs.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Wilson moved to take from the table H. B. No. 519.

Which was agreed to.

The question being on the passage of said bill—

Mr. Wilson moved to refer the bill to a select committee of one, with instructions to amend, by striking out the words "in the court of common pleas of Franklin county," and inserting the words "or in which the State is a party."

Which was agreed to, and Mr. Wilson was appointed such committee.

Mr. Wilson, on leave, submitted the following report:

The select committee of one, to whom was referred H. B. No. 519, with instructions to amend, reports the same back amended as instructed.

G. W. WILSON.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Carlisle, Curtiss, Dungan, Fisher, Grove, Howland, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, Owens, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—24.

Mr. Carson voted in the negative—1.

So the bill was passed. The title was agreed to.

Mr. Seitz moved that the Senate resolve itself into a committee of the Whole, for the consideration of H. B. No. 403.

Under rule 30, the President *pro tem.* decided the motion out of order, as the Senate had made said bill a special order for a certain day, and, under the rule, that order could not be changed.

Mr. Forrest appealed from the decision of the Chair.

The question being, "Shall the decision of the Chair stand as the opinion of the Senate?"—

Mr. Krimmel moved that the Senate adjourn.

On which motion the yeas and nays were demanded, taken and resulted—yeas 16, nays 10, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Carlisle, Carson, Curtiss, Grove, Howland, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, Richards, Sabine, Saltzgaber, Tyler, Williams and Wilson—16.

Those who voted in the negative were—

Messrs. Dungan, Fisher, Forrest, Joy, Parker, Seitz, Sherrick, Steedman, Stokes and Wagener—10.

So the motion was agreed to, and the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

TUESDAY, APRIL 30, 1878—10 o'clock A. M.

The Senate met pursuant to adjournment.

Prayer by Rev. S. G. Hopkins.

The Journal was read and approved.

Mr. Carson asked to be excused from serving on conference committee on S. B. No. 172.

Which was granted.

The President appointed Mr. Tyler as member of conference committee on S. B. No. 172 in place of Mr. Carson, excused.

Mr. Johnston submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled the following bills:

H. B. No. 440—To authorize the commissioners of Scioto county to borrow money on the bonds of the county, to discharge the existing liabilities of said county now in the shape of turnpike floating orders.

H. B. No. 468—For the relief of B. W. Canfield, treasurer of Chardon township, Geauga county, Ohio.

H. B. No. 436—To authorize the board of education of Napoleon, Henry county, to issue bonds for the redemption of maturing bonds already outstanding.

J. W. Washburn, Wm. Jessup,
E. S. Perkins, Duncan Dow,
C. R. Harmon, J. R. Johnston.

Mr. Johnston submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled the following bills:

H. B. No. 465—To authorize the trustees of the township of Mayfield, Cuyahoga county, to trnsfer funds therein named.

H. B. No. 417—To authorize the trustees of Spencer township, Hamilton county, Ohio, to sell and convey a certain tract of land, and to reinvest the proceeds.

H. B. No. 386—To authorize the trustees of Richland township, Clinton county, Ohio, to transfer certain funds therein named.

J. W. Washburn, E. S. Perkins,
Duncan Dow, C. R. Harmon,
Wm. Jessup, F. M. Carter,
R. G. Richards, J. R. Johnston.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has indefinitely postponed the following bill:

S. B. No. 54—Mr. Wilson—To amend section 6 of an act entitled "An act granting to guardians authority to improve the real estate of their wards, and to lease the same," passed April 11, 1876. (O. L., vol. 73, p. 207.)

Attest: L. A. Brunner, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the adoption of the following joint resolution:

S. J. R. No. 53—Mr. Sherrick—Relating to the employment of certain convict labor.

Attest: L. A. Brunner, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 32—Mr. Armstrong—To regulate brokerage in certain cases.

With the following amendments in which the concurrence of the Senate is requested:

Strike ont in line 2, of section 1, the words "and auctioneers," and insert the word "and," in same line, after the word "brokers."

Also to strike out all of section 1, after the word "at," in line 4, and add the following: "two per centum on the first thousand dollars, and one per centum on all over that sum, for which the property shall be on the value of the property exchanged."

Attest: L. A. BRUNNER, *Clerk.*

The question being on concurring in said amendments, the yeas and nays were taken, and resulted—yeas none, nays 24, as follows:

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Johnston, Joy, Kelley, Lord, Owens, Parker, Richards, Saltzgaber, Stokes, Tyler, Wagener, Williams and Wilson—24.

So the Senate refused to concur in said amendments.

Mr. Forrest moved that the Senate request a committee of conference on said bill.

Which was agreed to.

Bills were read the second time and referred as follows:

H. B. No. 419—Mr. Haley—For the relief of Joseph D. Philbrick, and his sureties, treasurer of McDonald township, Hardin county, Ohio.

To committee on Finance.

H. B. No. 469—Mr. Herrick—To authorize the trustees and the board of education of Sheffield township, Lorain county, to build a town hall and school house, jointly.

To committee on Municipal Corporations.

H. B. No. 457—Mr. Clough—To authorize private cemetery assocations brought within the corporate limits of incorporated villages to become incorporated.

To committee on Corporations other than Municipal.

H. B. No. 416—Mr. Alexander—To authorize the city council of Bellair, Ohio, to appropriate and pay the amount assumed by said city for purchase of site for State tobacco warehouse.

To committee on Judiciary.

H. B. No. 476—Mr. Parker—To authorize the township clerk of Pike township, Brown county, Ohio, to issue an order in favor of G. E. Padgitt, for services as a school teacher.

To committee on Common Schools and School Lands.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 420—Mr. Haley—Authorizing the trustees of cemeteries,

of the village of Kenton, Hardin county, Ohio, to remove dead bodies from the cemetery in said village.

H. B. No. 266—Mr. Van Cleaf—To require private bankers to make semi-annual statements, and publish the same.

Substitute for H. B. No. 395—Mr. Sextro—Supplementary to an act entitled "An act to create a board of trustees of the sinking fund in cities of the first-class, having a population of one hundred and eighty thousand, or over," passed May 3, 1877. (O. L. v. 74, p. 157.)

H. B. No. 514—Mr. Sullivan of Hamilton—To create a village school district in Anderson township, Hamilton county, Ohio.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

The President announced the appointment of Messrs. Lord, and Johnston as committee on part of the Senate in pursuance of S. J. R. No. 52.

On motion of Mr. Sherrick the Senate went into committee of the whole for the consideration of the special order of the hour, viz: H. B. No. 403, and after some time spent therein, arose, reported progress, and asked leave to sit again.

Which was granted.

Mr. Marsh offered the following resolution, which was adopted:

S. R. No. 55—WHEREAS, An assault has been made on a member of this Senate, while in session, therefore be it

Resolved, That a committee of three be appointed to investigate the same and report to the Senate.

The President appointed Messrs. Marsh, Fisher and Johnston as such committee.

On motion of Mr. Tyler, the Senate took a recess.

THREE O'CLOCK P. M.

The President laid before the Senate the following communication from Wm. Bell, Jr., which on motion was referred to the select committee appointed in pursuance of S. R. No. 55.

COLUMBUS, OHIO, April 30, 1878.

To the President and Members of the Senate of the State of Ohio:

I take this, the earliest possible moment, to offer to your honorable body the fullest and most ample apology I can offer for the unfortunate breach of the decorum of the Senate during its session this forenoon.

It is a matter of the deepest regret to me, and surely without any premeditated intention on my part, but the result of an uncontrollable indiscretion. Hoping that this apology may be kindly received by your honorable body,

I am yours most respectfully, WM. BELL, JR.

Mr. Joy, on leave, introduced the following bill, which was read the first time:

S. B. No. 180—To abolish the office of railroad commissioner, and repealing the acts passed April 5, 1867, (S. & S. page 76,) and the act of April 8, 1871, (O. L., page 55.)

Mr. Johnston submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 159—Regulating pardons of convicts who have served out their time of imprisonment—

Having had the same under consideration, report it back without recommendation.

W. T. Forrest, G. M. Saltzgaber.
W. P. Howland, D. Wagener,
Irvine Dungan.

Said bill was ordered to be engrossed and read the third time to-morrow.

Leave was asked and obtained for the select committee appointed in pursuance of S. R. No. 55 to sit during the session of the Senate.

Leave of absence was asked and obtained for the select committee appointed inpursuance of S. R. No. 54 until Friday afternoon.

Mr. Johnston submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 158—To authorize the appointment of an assistant prosecuting attorney in certain counties—

Having had the same under consideration, report it back, and recommend its passage.

J. R. Johnston, W. T. Forrest,
G. M. Saltzgaber, W. P. Howland.

Said bill was ordered to be engrossed and read the third time on Saturday next.

Mr. Fisher submitted the following report:

The committee on Revision has examined and found correctly engrossed, H. B. No. 519.

J. C. Fisher, G. M. Saltzgaber,
G. W. Wilson.

Mr. Lord introduced the following bills, which were read the first time:

S. B. No. 181—To amend the act entitled "An act to authorize cities of the first-class to issue bonds for university purposes," passed April 27, 1872, (69, Ohio Laws, 164.)

S. B. No. 182—Providing for the leasing of tne public works of the State of Ohio.

Mr. Joy, on leave, offered the following resolution:

S. R. No. 56—*Resolved*, That the standing committee on the penitentiary be instructed to inquire and report whether the provisions of the law reorganizing the penitentiary, directing that not more than one guard shall be appointed from any county in the State, until each county shall have one guard, has been complied with, and if not, to what extent said provisions of the law have been carried out; whether any county has at this time more than one guard in the prison, and if so, what county or counties, the number and names of the guard from each county having more than one.

Mr. Owens gave notice of his intention to discuss said resolution, so it went over under the rule.

Mr. Richards introduced the following bill, which was read the first time:

S. B. No. 183—Empowering county commissioners to appoint county solicitors.

Mr. Dungan submitted the following report:

The standing committee on Universities, Colleges and Academies, to whom was referred H. B. No. 297—To authorize the surviving trustees of the Christian church of Neville, Clermont county, to sell real estate belonging to said church organization—

Having had the same under consideration, report it back and recommend its passage.

IRVINE DUNGAN, J. SHERRICK,
J. M. ARMSTRONG, GEO. P. TYRER,
J. R. JOHNSTON, R. G. RICHARDS.

Said bill was ordered to be engrossed and read the third time on Saturday next.

Mr. Carlisle presented the petition of William Becker, and 45 other citizens of Fairfield county, praying for the improvement and preservation of the canals of the State.

Which was referred to the committee on Public Works.

Mr. Saltzgaber submitted the following report:

The committee on Judiciary, to whom was referred S. B. No. 61—To amend an act to amend section 489 of the code of civil procedure, (O. L., vol. 64, page 20.)—

Having had the same under consideration, report it back, and recommend its indefinite postponement for the reason that its provisions have been acted upon in the revision of the civil code.

W. T. FORREST, W. P. HOWLAND,
J. R. JOHNSTON, D. WAGENER,
IRVINE DUNGAN, G. M. SALTZGABER.

The report of the committee was agreed to, and the bill was indefinitely postponed.

Mr. Howland submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 213—To amend an act entitled "An act supplementary to the act regulating the mode of administering assignments in trust for the benefit of creditors," passed April 6, 1867; passed March 6, 1869, (Vol. 58, p. 26.)—

Having had the same under consideration, report it back and recommend its indefinite postponement.

W. P. HOWLAND, G. M. SALTZGABER,
J. R. JOHNSTON, D. WAGENER,
IRVINE DUNGAN, W. T. FORREST.

The report of the committee was agreed to, and the bill was indefinitely postponed.

Mr. Saltzgaber submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 298—In regard to the boundary monuments on the line between the State of Ohio and Pennsylvania—

Having had the same under consideration, report it back without recommendation.

W. T. FORREST, W. P. HOWLAND,
D. WAGENER, J. R. JOHNSTON,
G. M. SALTZGABER.

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Carson submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 390—To authorize the county commissioners of Vinton county to make an additional levy for county purposes—

Having had the same under consideration, report it back, and recommend its passage:

J. SHERRICK, J. M. CARSON,
H. C. LORD, H. W. CURTISS.

Said bill was ordered to be engrossed and read the third time on Saturday next.

Mr. Seitz submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 409—For the relief of Peter Weikert—

Having had the same under consideration, report it back with the following amendments, and recommend its passage when so amended:

In line 19, section 1, strike out "a majority," and insert the words "two thirds of all those voting at said election."

J. SHERRICK, J. M. CARSON,
JOHN SEITZ, H. W. CURTISS.

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time on Saturday next.

Mr. Carson submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 431—To authorize the village of Archibald, in Fulton county, Ohio, to transfer certain funds—

Having had the same under consideration, report it back and recommend its passage.

J. SHERRICK, J. M. CARSON,
H. C. LORD, H. W. CURTISS.

Said bill was ordered to be engrossed and read the third time on Saturday next.

Mr. Lord submitted the following report:

The standing committee on finance, to whom was referred H. B. No. 474—To authorize the commissioners of Hardin county to increase the levy for county purposes, and to transfer certain funds therein named—

Having had the same under consideration, report them back, and recommend its passage.

J. M. CARSON, H. C. LORD,
H. W. CURTISS, J. SHERRICK.

Said bill was ordered to be engrossed and read the third time on Saturday next.

Mr. Lord submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 483—To authorize the commissioners of Ottawa county to borrow money to pay indebtedness and loss caused by the failure of the city bank of Toledo—

Having had the same under consideration, report it back, and recommend its passage.

J. M. CARSON, H. C. LORD,
H. W. CURTISS, J. SHERRICK.

Said bill was ordered to be engrossed and read the third time on Saturday next.

Mr. Sherrick submitted the following report:

The standing committee on Finance, to whom was referred H. B. No.

470—To authorize the trustees of Athens township, Athens county, Ohio, to transfer money from the local bounty fund of said township to the road fund—

Having had the same under consideration, report it back, and recommend its passage.

J. SHERRICK, J. M. CARSON,
H. C. LORD, H. W. CURTISS,
JOHN SEITZ.

Said bill was ordered to be engrossed and read the third time on Saturday next.

Mr. Sherrick submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 66—To authorize the transfer of funds in certain cases—

Having had the same under consideration, report it back and recommend its passage.

J. SHERRICK, J. M. CARSON,
H. C. LORD, H. W. CURTISS,
JOHN SEITZ.

Said bill was ordered to be engrossed and read the third time on Saturday next.

Mr. Curtiss submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 437—Authorizing the county commissioners of Muskingum county to levy an additional tax—

Having had the same under consideration, report it back, and recommend its passage.

J. SHERRICK, J. M. CARSON,
H. W. CURTISS, H. C. LORD.

Said bill was ordered to be engrossed and read the third time on Saturday next.

Mr. Sherrick submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 445—To authorize the council of the incorporated village of Clyde to issue bonds to purchase steam fire engine and fire apparatus—

Having had the same under consideration, report it back, and recommend its passage.

J. M. CARSON, J. SHERRICK,
H. W. CURTISS, H. C. LORD,
JOHN SEITZ.

Said bill was ordered to be engrossed and read the third time on Saturday next.

Mr. Curtiss submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 510—To authorize the transfer of certain funds in the village of Brooklyn, Cuyahoga county, to other funds in said village—

Having had the same under consideration, report it back and recommend its passage.

J. SHERRICK, H. W. CURTISS,
J. M. CARSON, H. C. LORD.

Said bill was ordered to be engrossed and read the third time on Saturday next.

Mr. Saltzgaber submitted the following report:

The committee on Revision has examined, and found correctly engrossed, Sub. for H. B. No. 95.

G. M. SALTZGABER,
J. M. CARSON.

Mr. Carson submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred H. B. No. 449—To create a special school district in Canaan township, Monroe county—

Having had the same under consideration, report it back, without recommendation.

R. G. RICHARDS, C. F. KRIMMEL,
H. C. LORD, G. A. GROVE.

Said bill was ordered to be engrossed and read the third time on Saturday next.

Mr. Carson submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred H. B. No. 280—To create a special school district in Brown township, Delaware county, Ohio—

Having had the same under consideration, report it back without recommendation.

J. M. CARSON, C. F. KRIMMEL,
R. G. RICHARDS, G. A. GROVE,
H. C. LORD.

Said bill was ordered to be engrossed, and read the third time on Saturday next.

Mr. Carson submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred H. B. No. 354—To create a special school district in Sycamore township, Hamilton county, Ohio—

Having had the same under consideration, report it back without recommendation.

J. M. CARSON, R. G. RICHARDS,
C. F. KRIMMEL, H. C. LORD.

Said bill was ordered to be engrossed and read the third time on Saturday next.

Mr. Krimmel submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred H. B. No. 302—To create a special school district in Jackson township, Franklin county, Ohio—

Having had the same under consideration, report it back, and recommend its indefinite postponement.

R. G. RICHARDS, J. M. CARSON,
C. F. KRIMMEL, H. C. LORD.

The report of the committee was agreed to.

Mr. Richards submitted the following report:

The standing committee on Common Schools, to whom was referred Sub. for H. B. No. 296—Supplementary to an act entitled "An act to create a sub-division in Thompson township, Delaware county"—

Having had the same under consideration, report it back, and recommend its indefinite postponement.

R. G. Richards, J. M. Carson,
C. F. Krimmel, H. C. Lord.

The report of the committee was agreed to.

Mr. Lord submitted the following report:

The standing committee on Common Schools, to whom was referred H. B. No. 380—To create a special school district in Delhi township, Hamilton county, Ohio—

Having had the same under consideration, report it back without recommendation.

R. G. Richards, J. M. Carson,
C. F. Krimmel, H. C. Lord.

Said bill was ordered to be engrossed and read the third time on Saturday next.

Mr. Dungan submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 173—Supplementary to an act entitled "an act to provide for the settlement of the accounts of Trustees"—

Having had the same under consideration, report it back, and recommend its passsage.

Irvine Dungan, D. Wagener,
J. R. Johnston, W. T. Forrest,
W. P. Howland, G. M. Saltzgaber.

Said bill was ordered to be engrossed and read the third time on Saturday next.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 416—To authorize the city council of Bellaire, Ohio, to appropriate and pay the amount assumed by said city for purchase of site for State tobacco warehouse—

Having had the same under consideration, report it back, and recommend its passage.

W. T. Forrest, Irvine Dungan,
G. M. Saltzgaber, W. P. Howland.

Said bill was ordered to be engrossed and read the third time on Saturday next.

On motion of Mr. Sherrick, the Senate went into committee of the whole for the consideration of H. B. No. 403, and after some time spent therein, arose, reported progress, and asked leave to sit again.

Which was granted.

Mr. Curtiss submitted the following report:

The majority of the joint committee of the Senate and House, to whom was referred Sub. for S. J. R. No. 46—

Having had the same under consideration, recommend the adoption of the following resolution:

Sub. for S. J. R. No. 46—*Be it resolved by the General Assembly of the State of Ohio*, That the Sixty-third General Assembly do adjourn on Monday, May 13, 1878, at 8:30 o'clock A. M., to meet again on Tuesday, December 3, 1878, at 3 o'clock P. M.

H. W. Curtiss,
E. S. Perkins,
Milo G. Dodds.

Mr. Saltzgaber submitted the following report:

The minority of the joint committee of the Senate and House, to whom was referred S. J. R. No. 46—Recommend, as a substitute for the report of the majority of the committee the adoption of the following resolution:

Sub. for S. J. R. No. 46—*Be it resolved by the General Assembly of the State of Ohio*, That the Sixty-third General Assembly do adjourn on Monday, May 13, 1878, at 8:30 o'clock A. M., to meet again on Tuesday, January 7, 1879, at 3 o'clock P. M.

G. M. SALTZGABER,
J. W. WASHBURN.

The question being on agreeing to the minority report as a substitute for the majority report of said joint committee, the yeas and nays were demanded, taken and resulted—yeas 11, nays 19, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Carlisle, Dungan, Fisher, Forrest, Grove, Howland, Parker, Saltzgaber, Seitz and Sherrick—11.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carson, Curtiss, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sabine, Stokes, Tyler and Williams—19.

So said substitute was disagreed to.

The question being on the adoption of the resolution reported by the majority, the yeas and nays were taken and resulted—yeas 21, nays 8, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carson, Curtiss, Forrest, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Stokes, Tyler and Williams—21.

Those who voted in the negative were—

Messrs. Beebe, Carlisle, Dungan, Fisher Grove, Howland, Lord and Seitz—8.

So the resolution was adopted.

Mr. Carson submitted the following report:

The committee on Revision has examined, and found correctly engrossed, Sub. for H. B. No. 189—And recommend the following changes:

1. In title strike out "county" and insert "and other counties."
2. Strike out "and" before "Warren," and insert "or" before "Brown."
3. Strike out the word "counties" after the word "Warren," and insert "counties" after the word "Brown."
4. In line 10, section 1, strike out "counties" and insert "county."
5. In line 12, section 1, strike out "said county" and insert "the county."
6. In line 8, section 2, strike out "said counties," and insert "the county."
7. In line 3, section 3, strike out "judges" and insert "judge."
8. In same line strike out "said counties" and insert "the county."

J. M. CARSON,
G. M. SALTZGABER.

The report was agreed to.

Mr. Forrest submitted the following report:

The standing committee on Currency, to whom was referred H. B.

No. 391—To authorize the trustees of Richland township, Vinton county, to levy an additional tax for township purposes—

Having had the same under consideration, report it back and recommend its passage.

W. T. FORREST, J. C. MCDONALD,
LINDSEY KELLEY, D. D. BEEBE.

Said bill was ordered to be engrossed and read the third time on Saturday next.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 100—To establish a fourth sub-division of the fourth judicial district, and to provide for the election of judges therein—

Having had the same under consideration, report it back, with following amendments, and recommend its passage when so amended:

In line 6, section 2, strike out the word "such" before the words "judge shall," and the word "again" in same line, and insert "a successor of such."

In line 11, section 2, after the word "and," and before the word "such" insert "a successor of."

Strike out the word "again," in line 12, of same section.

In line 17, strike out the word "again" and insert the words "a successor of" before the word "such."

W. T. FORREST, G. M. SALTZGABER,
W. P. HOWLAND, D. WAGENER.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

Mr. Tyler submitted the following report:

The standing committee on Military Affairs, to whom was referred H. B. No. 481—To provide for the recording, in book form, of the military record of all persons who have served in the army of the United States in the war of the rebellion, which began April, A. D. 1861, and who were accredited to the State of Ohio as soldiers; and supplementary to an act entitled "An act appropriating money to pay for transcribing certain muster-rolls of Ohio volunteers into permanent record, and for obtaining information in regard to Union soldiers' graves, and providing for a suitable head-stone," passed May 7, 1877—

Having had the same under consideration, report it back, and recommend its passage.

LYMAN J. JACKSON, J. M. CARSON,
GEO. P. TYLER, D. JOY,
THOS. S. JACKSON, J. R. JOHNSTON,
G. M. SALTZGABER.

Said bill was ordered to be engrossed and read the third time on Friday next.

On motion of Mr. Johnston, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

WEDNESDAY, MAY 1, 1878—10 O'CLOCK A. M.

The Senate met pursuant to adjournment
Prayer by Rev. S. G. Hopkins.
The Journal was read and approved.
Mr. Fisher submitted the following report:
The committee on Revision has examined, and found correctly engrossed H. B. No. 72.

J. C. FISHER,
G. M. SALTZGABER.

Mr. Saltzgaber submitted the following report:
The committee on Revision has examined, and found correctly engrossed S. B. No. 100.

J. C. FISHER,
G. M. SALTZGABER.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 468—Mr. Hitchcock—For the relief of B. W. Canfield, treasurer of Chardon township, Geauga county, Ohio.

H. B. No. 440—Mr. Hayman—To authorize the commissioners of Scioto county to borrow money on the bonds of the county, to discharge the existing liabilities of said county, now in the shape of turnpike floating orders.

H. B. No. 436—Mr. Groschner—To authorize the board of education of Napoleon, Henry county, to issue bonds for the redemption of maturing bonds already outstanding.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 386—Mr. Quinby—To authorize the trustees of Richland township, Clinton county, Ohio, to transfer certain funds therein named.

H. B. No. 417—Mr. Sullivan of Hamilton—To authorize the trustees of Spencer township, Hamilton county, Ohio, to sell and convey a certain tract of land, and to reinvest the proceeds.

H. B. No. 465—Mr. Dempcy—To authorize the trustees of the township of Mayfield, Cuyahoga county, to transfer funds therein named.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 534—Mr. Carpenter—For the relief of Horace S. Horten.

H. B. No. 535—Mr. Tyler of Licking—Requiring county auditors to provide poll books and tally sheets for elections.

H. B. No. 536—Mr. Wright—To amend an act supplementary to the act entitled "An act to provide for compensation to the owners of private property appointed to use of corporations," passed April 30, 1852, (Curwins, chap. 1171).

H. B. No. 537—Mr. Dawson—To authorize the village council of the incorporated village of New Lexington, in Highland county, Ohio, to transfer certain money from the fund for the construction of a village prison to the fund for municipal purposes.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bill has been introduced in the House of Representatives and read the first time:

H. B. No. 538—Mr. Bohl—In relation to the names of insurance companies.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution in which the concurrence of the Senate is requested:

H. J. R. No. 49—Mr. Greene—In relation to the publication of the metric system of weights and measures.

Attest: L. A. BRUNNER, *Clerk.*

Said joint resolution, was, on motion, referred to the committee on Public Printing.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has appointed Messrs. Sextro, Van Cleaf and Hitchcock a joint committee on the part of the House in accordance with—

S. J. R. No. 52—Mr. Lord—To appoint a joint committee to ascertain upon what terms Longview asylum can be transferred to the State of Ohio.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to—

H. B. No. 103—Mr. Swaim—To reorganize and change the name of

the Ohio Agricultural and Mechanical college, and to repeal certain acts therein named.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives accedes to the request of the Senate and has appointed Messrs. Bloom, Baker and Stubbs on part of the House, to consider the differences existing between the two Houses on—

S. B. No. 32—Mr. Armstrong—To regulate brokerage in certain cases.

Attest: L. A. BRUNNER, *Clerk.*

The President appointed Messrs. Marsh, Armstrong and Sabine as such conference committee on part of the Senate.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 422—Mr. Sextro—Supplementary to the act entitled "An act for the relief of the poor, and to repeal certain acts therein named," (O. L., v. 73, p. 233).

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to the following bill:

Sub. for H. B. No. 95—Mr. Parker—To authorize the commissioners of Brown county, to construct a free turnpike road from the terminus of the Mount Orab and Benton free turnpike to the terminus of the Fayetteville and Chasetown free turnpike road.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to the following bill:

H. B. No. 519—Mr. Bloom—Relative to certain civil actions.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has agreed to the report of the committee of Conference on—

H. B. No. 96—Mr. Williams—And appoints Messrs. Bohl, Maury and Smead as a Conference committee to consider amendments 1, 2, 4, 5, 6 and 8 of said bill.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 530—Mr. Van Cleaf—To amend the act of April 12, 1877, entitled "An act to amend an act to authorize trustees of townships to appropriate lands for cemetery purposes," passed and took effect April 3, 1867, (74 v., 87).

H. B. No. 531—Mr. Sheets—To authorize the commissioners of Hancock county to levy an additional tax.

H. B. No. 532—Mr. Klimper—To apportion the State of Ohio into Congressional Districts, and to repeal an act therein named.

H. B. No. 533—Mr. Harmon—To provide for the control and maintenance of libraries in certain cities, which, at the last Federal census had, and which at any subsequent Federal census may have a population of 10,592.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 322—Mr. Norton—Entitled "An act to amend the act entitled an act to amend the first section of the act entitled an act to amend sections 1, 2, 4, 5, 6 and 11 of an act to authorize the county commissioners to construct roads on petition of a majority of the land owners along and adjacent to the line of said road, and to repeal an act therein named," passed March 29, 1867; passed March 31, 1868, (O. L., v. 65, p. 41; S. & S., 673).

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Marsh, on leave, submitted the following report:

Your committee appointed in pursuance of S. R. No. 55, submit the following report:

Having carefully inquired into the circumstances surrounding the matter referred to the committee, and having heard the statement of the participants and witnesses, and ascertained, as far as practicable, the facts in relation thereto, have arrived at the conclusion that the conduct of William Bell, Jr., in coming into the Senate Chamber and questioning the right of a Senator to freely express his views upon any subject before this body, or to call into question any statement there made, and by an act of violence, disturbing the deliberations of the Senate, was an unwarranted and gross violation of the rights of each and every member of this Senate. Whilst holding this view, we are of the opinion that the act was unpremeditated and an excusable indiscretion; yet

we feel constrained to say, that his conduct was such as to deserve the severest censure and condemnation of this body for the violation of a high constitutional right, which, if suffered to pass without rebuke, would seriously impair that freedom of speech, upon all subjects, so essential to the proper and fearless discharge of the duties devolving upon the members of a deliberative assembly.

THEO. MARSH,
J. C. FISHER,
J. R. JOHNSTON.

Said report of the committee was unanimously agreed to.

Mr. Carson presented the petition of Harvey B. Gates and 20 other citizens of Darke county, praying for further protection to quail.

Which was referred to the committee on Agriculture.

Mr. Carson presented the remonstrance of N. H. Albaugh and 21 other citizens of Miami county, remonstrating against the passage of H. B. No. 489—Mr. Bohl.

Which was referred to the committee on Insurance.

On motion of Mr. Sherrick, the Senate went into Committee of the Whole, for the consideration of H. B. No. 403.

After some time spent therein, arose, reported progress, and asked leave to sit again.

Which was granted.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 179—For the relief of Davis Johnson—

Having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended:

To strike out all of section 1 after line 1 and insert in lieu thereof the following:

"There be and is hereby appropriated out of any money in the State Treasury belonging to the sinking fund, the sum of $290, for the payment of the claim of said Davis Johnson."

W. T. FORREST, G. M. SALTZGABER,
J. R. JOHNSTON, IRVINE DUNGAN,
W. P. HOWLAND.

Said amendment was agreed to, and the bill was ordered to be engrossed, and read the third time on Saturday next.

On motion of Mr. Kelley, the Senate took a recess.

THREE O'CLOCK P. M.

Bills were read the second time and referred as follows:

H. B. No. 420—Mr. Haley—Authorizing the trustees of cemeteries of the village of Kenton, Hardin county, Ohio, to remove dead bodies from the cemetery in said village.

To committee on Corporations other than Municipal.

H. B. No. 266—Mr. Van Cleaf—To require private bankers to make semi-annual statements and publish the same.

To committee on Currency.

Sub. for H. B. No. 395—Mr. Sextro—Supplementary to an act entitled "An act to create a board of trustees of the sinking fund, in cities of the first class, having a population of 180,000 or over," passed May 3, 1877, (O. L., v. 74, p. 157).

To committee on Municipal Corporations.

H. B. No. 514—Mr. Sullivan of Hamilton—To create a village school district in Anderson township, Hamilton county.

To committee on Municipal Corporations.

S. B. No. 180—Mr. Joy—To abolish the office of railroad commissioner, and repealing the acts passed April 5, 1867, (S. & S., p. 76,) and the act of April 8, 1871, (O. L., 164).

To committee on Salaries and Fees of Public Officers.

S. B. No. 181—Mr. Lord—To amend the act entitled "An act to authorize cities of the first class to issue bonds for university purposes, passed April 27, 1872, (69, O. L., 164).

To commttee on Universities, Colleges and Academies.

S. B. No. 182—Mr. Lord—Providing for the leasing of the public works of the State of Ohio.

To committee on Public Works and Public Lands.

S. B. No. 183—Mr. Richards—Empowering county commissioners to appoint county solicitors.

To committee on Judiciary.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested:

H. J. R. No. 44—Mr. Achauer—To prevent the removal of insane persons from one district asylum to another.

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Grove, said joint resolution was referred to the committee on Benevolent Institutions.

Mr. Dungan moved that the vote whereby the report of the Judiciary committee on H. B. No. 213 was agreed to, be reconsidered.

Which was agreed to.

Mr. Forrest moved that a message be sent to the House for the return of H. B. No. 213.

Which was agreed to.

S. B. No. 159—Mr. Fisher—Regulating pardons of convicts who have served out their time of imprisonment.

Was read the third time.

Mr. Johnston moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 4 of section 1 strike out all after the word "pardon," and out of line 5 the following, "Governor may think proper."

Strike out of lines 6 and 7 of section 2 all after the word "State" in line 6, and the following in line 7, "able to pay the costs of his conviction."

Which was agreed to, and Mr. Johnston was appointed such committee.

Mr. Johnston, on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No. 159, with instructions to amend, reports the same back amended as instructed.

J. R. JOHNSTON.

Mr. Saltzgaber moved to refer the bill to a select committee of one with instructions to amend as follows:

By striking out of line 5, section 1, the words, "may be," and insert in lieu thereof the words "shall not be."

And strike out the first "of" in line 6, and insert the word "to."

Which was agreed to, and Mr. Saltzgaber, was appointed such committee.

Mr. Saltzgaber, on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No. 159, with instructions to amend, reports the same back amended as instructed.

G. M. SALTZGABER.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays 4, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Richards, Sabine, Saltzgaber, Tyler and Wagener—22.

Those who voted in the negative were—

Messrs. Jackson of Perry, McDonald, Seitz and Williams—4.

So the bill was passed. The title was agreed to.

H. B. No. 298—Mr. Reed of Trumbull—In regard to the boundary monuments on the line between the States of Ohio and Pennsylvania.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 19, nays 6, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Carson, Dungan, Grove, Howland, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Parker, Richards, Sabine, Sherrick, Tyler and Wagener—19.

Those who voted in the negative were—

Messrs. Armstrong, Fisher, Forrest, Owens, Saltzgaber and Seitz—6.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills and joint resolution:

H. B. No. 103—Mr. Swaim—To reorganize and change the name of the Ohio Agricultural and Mechanical College, and to repeal certain acts therein named.

H. B. No. 519—Mr. Bloom—Relative to certain civil actions.

S. J. R. No. 51—Directing the Superintendent of the Dayton Asylum for the Insane to receive a certain person into said institution as an inmate—

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills and joint resolution.

On motion of Mr. Sherrick, the Senate went into the committee of the whole for the consideration of H. B. No. 403, and after some time spent therein, arose, reported the bill back with the following amendments, and recommend its passage when so amended:

Amendments to section 1—

1. In line 16, strike out "900.00" and insert "1125" instead.
2. In line 28, strike out "$900" and insert "$1125."
3. In line 35, strike out "six hundred dollars" and insert "one thousand dollars."
4. In lines 41 and 42, strike out "twenty thousand dollars,' and insert "forty thousand dollars."
5. After line 45, add "expenses Ohio National Guard while in camp, thirty-five thousand dollars."
6. After line 50, insert "for night watch of State House and grounds, to be appointed by the treasurer, six hundred dollars," $600.00.
7. In line 56, strike out "one hundred and twenty-five" and insert "seven hundred and seventy-five."
8. After line 58, insert "for the better ventilation of State House, one thousand and four hundred dollars," $1400.00.
9. After line 62, insert "For contingent expenses, three hundred dollars," $300.
10. In line 67, strike out "nine hundred dollars," and insert "eleven hundred and twenty-five dollars."
11. In line 72, strike out "$900" and insert "$1125."
12. In line 79, strike out "$3000" and insert "$4000."
13. After line 96, insert "for portrait of Thomas L. Young, for Governor's office, five hundred dollars," $500.00.
14. In line 100, strike out "fifteen hundred dollars" and insert "two thousand dollars," $2000.00.
15. In line 114, strike out "five hundred" and insert "eight hundred."
16. In line 123, strike out "six hundred dollars" and insert "one thousand dollars," $1000.00.
17. In line 131, strike out "thirteen hundred dollars" and insert "one thousand dollars," $1000.00.
18. In line 135, strike out "three hundred dollars," ($300.00) and insert "four hundred dollars," $400.00.
19. Strike out lines 140 and 141, and insert "For contingent and traveling expenses, six hundred dollars, $600.00. For attorneys' fees, four hundred dollars, $400,"
20. In line 149, strike out "$900.00" and insert "$1125.00."
21. In line 151, strike out "nine hundred dollars" and insert "eleven hundred and twenty-five dollars."
22. In line 154, strike out "nine hundred dollars" and insert "eleven hundred and twenty-five dollars."
23. In line 173, strike out "$100.00" and insert "$300.00."
24. After line 181, insert "For geological survey. For publication of geological maps, to accompany third volume of survey, eleven thousand seven hundred and fifty dollars, $11,750.00." (Re-appropriated.)
25. For completing volume three, part two, of Palæontology, two thousand dollars, $2000.00.
26. For publishing 20,000 copies of volume four, Zoology and Botany, eight thousand dollars.
27. In line 202, strike out "eighteen hundred dollars" and insert "twenty-two hundred and fifty dollars."
28. In line 205, strike out "four hundred" and insert "five hundred dollars."
29. In line 207, strike out the words "who shall be the night watch of the State House generally."

30. Strike out all of lines 213, 214 and 215.
31. Strike out all of line 221.
32. Add after line 222, "For furnishing Senate committee room, two hundred and eighty-four dollars and sixty cents," $284.60.
33. For carpet for House Clerk's office, "one hundred and twenty-six dollars." $126.00.
34. For Alfred Buckingham, M. D., services and expenses as commissioner on hog cholera, "five hundred and eight dollars," $508.00.
35. For Hershiser, Adams & Co., balance on contract and extra work at Columbus asylum; "eight hundred and seventy-nine dollars and twenty-eight cents," $879.28.
36. To assist the commissioners of Shelby county, Ohio, in building a bridge across the Laramie reservior, between sections thirty-one and thirty-two, to be expended under the supervision of the board of public works, "one thousand dollars," $1000.00.
37. Strike out the word "hospital" wherever it occurs in the bill, and insert "asylum" in lieu thereof.

Amendments to section 2—

38. In line 6, strike out "thirty-three hundred dollars" and insert "thirty-nine hundred dollars," $3900.00."
39. Strike out line 11, and insert "For ordinary repairs and painting walls, four thousand dollars."
40. In line 19, strike out "sixty-five thousand dollars," $65,000.00, and insert "seventy-one thousand dollars," $71,000.00.
41. In line 22, strike out "thirty-one" and insert "thirty-seven."
42. In line 24, strike out "two hundred dollars" and insert "four hundred dollars."
43. Strike out line 27 and insert "For ordinary repairs and painting walls, five thousand dollars," $5000.00.
44. For building green-house, twenty-five hundred dollars, $2500.00.
45. In line 33, strike out "thirty-eight" and insert "forty-four."
46. Add to above, "and for extra pay to the superintendent for superintending the completion and furnishing of the asylum, one thousand dollars," $1000.00.
47. In line 39, strike out "four" and insert "eight."
48. In line 50, strike out "thirty" and insert "thirty-six."
49. Strike out line 52, and insert "For ordinary repairs and painting outside wall of main building, twenty-five hundred dollars," $2500.00.
50. In line 58, strike out "$10,000" and insert "$15,000."
51. Strike out line 60 and insert "For ordinary repairs and painting, forty-five hundred dollars," $4500.00.
52. In line 85, strike out "five" and insert "ten."
53. Strike out lines 91 and 92, and insert "For bakery, laundry and ordinary repairs, six thousand dollars," $6,000.00.
54. In line 98, strike out "three" and insert "five."
55. After line 100, insert, "For heating main building, twelve hundred dollars."
56. In line 111, strike out "five" and insert "ten."
57. In line 114, strike out "twenty thousand" and insert "thirty-eight thousand six hundred and forty."
58. In line 118, strike out "twenty thousand" and insert "eight thousand eight hundred and eighty-two."
59. Add after line 122, "For work shops, ten thousand dollars," $10,000.00.

60. For ordinary repairs, five thousand dollars, $5,000.00.

61. For grist mill and wash house, four thousand three hundred and thirty-three dollars, $4,333.00.

62. In line 133, strike out the word "passed" and insert "adopted," and after the word "dollars" in line 134, add the following: "Provided, that the attorney general may require the transfer of the inmates to the Ohio reform school, when there is room, and when such transfer is made, the unexpended balance of said $18,000 shall be placed to the credit of the Ohio reform school."

63. In line 5, after the word "institutions" insert, "unless such repairs are necessary to the preservation of such building, and the fixtures thereto, and the protection of the inmates."

64. At the end of line 9, add, "except as above provided."

Mr. Sherrick moved that the bill and pending amendments be made the special order for 10½ o'clock to-morrow morning.

Mr. Curtiss moved that the bill and pending amendments be laid upon the table and printed in advance of other matter, and made a special order for 3 o'clock P. M. to-morrow.

Mr. Forrest moved to substitute "10½ o'clock A. M. to-morrow."

Which was agreed to.

Said motion, as amended, was agreed to.

Mr. Parker introduced the following bill, which was read the first time:

S. B. No. 184—To amend section eleven, of chapter six, of the criminal code as passed on the 5th day of May, A. D. 1877, entitled "An act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four, of the act to revise and consolidate the general statutes of Ohio."

Mr. Carlisle introduced the following bill, which was read the first time:

S. B. No. 185—To regulate the fees of county engineers.

Mr. Joy moved that the report of the select committee appointed pursuant to S. J. R. No. 10 be taken from the table

Which was agreed to.

The question being on the adoption of said report--

The same was adopted.

Mr. Owens, on leave, offered the following joint resolution:

S. J. R. No. 54—WHEREAS, A joint resolution, adopted by the Sixty-second General Assembly April 27, 1877, (O. L., vol. 74, p. 541), provided for the distribution of a much greater number of copies of the debates of the Constitutional Convention of 1873 and 1874 than can be had for such purpose; and,

WHEREAS, It appears that there are in the hands of the Secretary of State eighteen hundred complete sets of said debates, and no more; and,

WHEREAS, No adequate place is provided for the preservation thereof; therefore,

Be it resolved by the General Assembly of the State of Ohio, That the Secretary of State be and he is hereby directed to distribute a portion of the said debates as follows: To each member of said Constitutional Convention, three copies; to each member of the Sixty-second General Assembly, three copies; to each member of the Sixty-third General Assembly, three copies; and the remainder to be kept by the Secretary of State, to be disposed of as shall be hereafter determined. Copies for

members of the Convention and of the Legislature shall be boxed and sent to their order by the Secretary of State, under the regulations and provisions requiring the distribution to members of the General Assembly of the reports of the Secretary of State.

Resolved, That the joint resolution providing for the binding of additional copies of the debates of the Constitutional Convention, passed April 27, 1877, (vol. 74, O. L., p. 541) be and the same is hereby revoked and annulled.

The question being on the adoption of said joint resolution, the yeas and nays were taken, and resulted—yeas 25, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Stokes, Tyler, Wagener and Williams—25.

So said joint resolution was adopted.

Mr. Curtiss submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 360—Supplemental to an act entitled "An act to authorize the trustees of Brecksville township, Cuyahoga county, to levy a tax for certain purposes therein," passed May 5, 1877—

Having had the same under consideration, report it back, and recommend its passage.

J. Sherrick, H. W. Curtiss,
John Seitz, H. C. Lord,
Irvine Dungan.

Said bill was ordered to be engrossed and read the third time on Saturday next.

Mr. Fisher submitted the following report:

The committee on Revision has examined, and found correctly engrossed, S. B. No. 159.

J. C. Fisher,
J. M. Carson,
G. M. Saltzgaber.

Mr. Fisher submitted the following report:

The committee on Revision has examined, and correctly engrossed H. B. No. 409.

J. C. Fisher,
G. M. Saltzgaber,
J. M. Carson.

Mr. Armstrong submitted the following report:

The standing committee on Claims, to whom was referred H. J. R. No. 47—Authorizing the Governor to execute a deed to John A. Mills, assignee of Peter Stoubs—

Having had the same under consideration, report it back, with the following amendment, and recommend its adoption when so amended:

In line 3, after "a," insert "tract of."

J. M. Armstrong, C. A. Grove,
J. C. McDonald, C. S. Parker,
H. Sabine, D. D. Beebe.

Said amendment was agreed to.

Mr. Johnston moved that said joint resolution be laid upon the table.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 539—Mr. Palmer—To admit women to the practice of law.

H. B. No. 540—Mr. Parker—For the relief of Geo. W. Woodward.

H. B. No. 541—Mr. Cowgill—To amend section one of an act entitled "An act to provide for keeping in repair the gravel and macadamized and volunteer roads, located and constructed under the laws of the State, and to repeal certain acts therein named."

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 11—Mr. Benson—To establish the Girls' Industrial Home, and to repeal certain acts therein named—

With the following amendments, in which the concurrence of the Senate is requested:

In section 1, line 11, after the word "appointed," insert the words "one of whom shall be a resident of the county where the home is located."

Strike out of line 4, section 1, the words "vicious and criminal," and insert the words "evil disposed, incorrigible and vic ous."

In line 1, section 9, after the words "age of," strike out "nine," and insert "seven."

In line 9, section 9, before the word "vicious," strike out the word "a."

In line 10, section 9, at the beginning of the line, strike out the word "and," and insert "or."

In line 9, section 9, before the word "vicious," insert the words "an idle vagrant."

In line 11, section 9, after the word "life," insert "or has been found in any street, highway or public place within this State, in circumstances of want and suffering, or of neglect, exposure or abandonment, or of beggary."

In line 1, section 11, strike out the word "nine," and insert "seven."

Attest: L. A. BRUNNER, *Clerk.*

Mr. Seitz moved that said amendments be referred to the committee on Reform School.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 171—Mr. Richards—To amend section 9 of an act entitled "An act supplementary to an act entitled an act to provide for the creation

and regulation of incorporated companies in the State of Ohio," passed May 1, 1852; passed April 15, 1867, (S. & S. 186); as amended February 25, 1869, (O. L., v. 66, p. 11); as amended April 20, 1874, (O. L., v. 71, p. 161); as amended April 11, 1876, (O. L., v. 73, p. 188); as amended March 12, 1877, (O. L., v. 74, p. 38); as amended March 28, 1878, (O. L., vol. 75)—

With the following amendments, in which the concurrence of the Senate is requested:

Insert after the word "produce," in line 34, of section 1, the words "for doing a commission business."

Attest: L. A. BRUNNER, *Clerk.*

Mr. Johnston moved to lay said bill and amendment on the table.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to—

Substitute for H. B. No. 189—Mr. Reed of Ross—To enable the commissioners of Ross county to purchase toll roads and convert the same into free roads.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 535—Mr. Tyler of Licking—Requiring county auditors to provide poll books and tally sheets for elections.

H. B. No. 534—Mr. Carpenter—For the relief of Horace S. Horton.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 136—Mr. Richards—For the relief of Robert Cochran—

With the following amendments, in which the concurrence of the Senate is requested:

In lines 4 and 5, section 1, use the word "Robert," instead of "Richard."

Amend the title by striking out "Richard," and inserting "Robert."

Attest: L. A. BRUNNER, *Clerk.*

Mr. Johnston moved that said bill and amendments be laid upon the table.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives accedes to the request of the Senate, and herewith returns—

H. B. No. 213—Mr. Hayman—To amend an act entitled "An act supplementary to the act regulating the mode of administering assignments in trust for the benefit of creditors," passed April 6, 1867, passed March 6, 1861, (Vol. 58, p. 26.)

Attest: L. A. BRUNNER, *Clerk.*

Said bill was ordered to be engrossed and read the third time on Saturday next.

Mr. Krimmel submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled the following joint resolutions:

Substitute for S. J. R. No. 39—Providing for a committee to investigate the condition of the affairs of the trustees of the Cincinnati Southern Railway.

S. J. R. No. 51—Directing the superintendent of the Dayton asylum to receive a certain person into said institution as an inmate.

C. F. KRIMMEL, J. R. JOHNSTON,
IRVINE DUNGAN, R. G. RICHARDS,
DUNCAN DOW, C. R. HARMON,
E. S. PERKINS, F. M. CARTER.

Mr. Dungan submitted the following report:

The standing committee on Universities and Colleges, to whom was referred S. B. No. 181—To amend the act entitled "An act to authorize cities of the first-class to issue bonds for University purposes" passed April 27, 1872, (69 Ohio Laws, 164.)—

Having had the same under consideration, report it back and recommend its passage.

IRVINE DUNGAN, B. W. CARLISLE,
W. H. STOKES, W. T. FORREST,
H. W. CURTISS.

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Richards moved to take from the table S. B. No. 171.

Which was agreed to.

The question being on concurring in the House amendment to said bill, the yeas and nays were taken, and resulted—yeas 21, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Carson, Curtiss, Dungan, Fisher, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Stokes, Tyler, and Williams—21.

So the Senate concurred in said amendment.

Mr. Richards moved to take from the table S. B. No. 136.

Which was agreed to.

The question being on concurring in House amendment to said bill, the yeas and nays were taken, and resulted—yeas 25, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Stokes, Tyler, Wagener, and Williams—25.

So the Senate concurred in said amendment.

Mr. Dungan submitted the following report:

The standing committee on Corporations other than Municipal, to whom was referred H. B. No. 472—To divide Falls township, Hocking county, into two election precincts—

Having had the same under consideration, report it back, and recommend its passage.

IRVINE DUNGAN, LYMAN J. JACKSON,
J. SHERRICK, GEO. P. TYLER,
J. M. ARMSTRONG.

Said bill was ordered to be engrossed and read the third time on Saturday next.

Mr. Dungan submitted the following report:

The joint committee on Enrollment have examined and found correctly enrolled the following bills:

H. B. No. 519—Mr. Bloom—Relative to certain civil actions.

Substitute for H. B. No. 103—Mr. Swaim—To reorganize and change the name of the Ohio Agricultural and Mechanical College, and to repeal certain acts therein named.

IRVINE DUNGAN, F. M. CARTER,
C. R. HARMON, DUNCAN DOW,
J. W. WASHBURN, WM. JESSUP,
E. S. PERKINS, R. G. DICHARDS,
J. R. JOHNSTON.

Mr. Saltzgaber submitted the following report:

The committee on Revision has examined and found correctly engrossed H. B. No. 349—Mr. McCoy.

G. M. SALTZGABER, J. M. CARSON,
J. C. FISHER.

Mr. Carson moved to take from the table H. J. R. No. 47.

Which was agreed to.

Mr. Carson moved to amend said joint resolution as follows:

Add thereto: "Provided, however, that the said John D. Mills shall first make, and deliver to the State of Ohio, duly recorded, a quit claim deed to said second described premises."

Said amendment was agreed to.

The question being on the adoption of said joint resolution as amended, the yeas and nays were taken, and resulted—yeas 25, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Stokes, Tyler, and Williams—25.

So said joint resolution was adopted.

On motion of Mr. Marsh the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

THURSDAY, MAY 2, 1878—10 o'clock A. M.

The Senate met pursuant to adjournment.
Prayer by Rev. Dr. Moore.
The Journal was read and approved.

MESSAGE FROM THE GOVERNOR.

STATE OF OHIO, EXECUTIVE DEPARTMENT.

COLUMBUS, 2D DAY OF MAY, 1878.

To the Senate:

I have the honor to nominate, and, by and with the advice and consent of the Senate, appoint—

Ferdinand F. Remple, of Hocking county, to be trustee of the Athens asylum for the insane, vice. Dr. W. Waddle resigned.

Very respectfully,

RICHARD M. BISHOP, *Governor.*

Mr. Carlisle moved that the Senate advise and consent to said appointment of Ferdinand F. Remple.

On which motion, the yeas and nays were taken, and resulted—yeas 20, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Carson, Dungan, Fisher, Howland, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Stokes, Tyler and Williams--20.

So the Senate advised and consented to said appointment.

Bills were read the second time and referred as follows:

H. B. No. 422—Mr. Sextro—Supplementary to the act entitled "An act for the relief of the poor, and to repeal certain acts therein named," (O. L., v. 73, p. 233).

To committee on Judiciary.

H. B. No. 322—Mr. Norton—Entitled "An act to amend the act entitled an act to amend the first section of the act entitled an act to amend sections 1, 2, 4, 5, 6 and 11 of an act to authorize the county commissioners to construct roads on petition of a majority of the land owners along and adjacent to the line of said road, and to repeal an act therein named," passed March 29, 1867; passed March 31, 1868, (O. L., v. 65, p. 41; S. & S., 673).

To committee on Railroads, Telegraphs and Turnpikes.

H. B. No. 534—Mr. Carpenter—For the relief of Horace S. Horton.

To committee on Claims.

H. B. No. 535—Mr. Tyler of Licking—Requiring county auditors to provide poll-books and tally-sheets for elections.

To the committee on Finance.

S. B. No. 181—Mr. Lord—To amend the act entitled "An act to authorize cities of the first-class to issue bonds for university purposes," passed April 27, 1872, (69, O. L, 164).

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 21, nays none, as follows:

Messrs. Armstrong, Beebe, Carson, Dungan, Fisher, Forrest, Howland,

Jackson of Perry, Joy, Kelley, Lord, Marsh, McDonald, Owens, Sabine, Saltzgaber, Seitz, Sherrick, Stokes, Tyler and Williams—21.

So the bill was passed. The title was agreed to.

Mr. Seitz moved that the rules be suspended in order that S. R. No. 48 may be taken from the table.

On which motion the yeas and nays were taken, and resulted—yeas 14, nays 13, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Carson, Dungan, Fisher, Forrest, Jackson of Perry, Joy, Marsh, Saltzgaber, Seitz, Sherrick, Stokes and Wagener—14.

Those who voted in the negative were—

Messrs. Beebe, Grove, Howland, Jackson of Clinton, Kelley, Krimmel, Lord, Owens, Parker, Richards, Sabine, Tyler and Williams—13.

So the motion, not having received the requisite majority, was disagreed to.

The Senate proceeded to the consideration of the special order of the hour—

H. B. No. 403—Mr Alexander—Making appropriations for the fiscal year 1878, and the first quarter of the fiscal year 1879.

The question being on agreeing to the amendments reported to said bill from the committee of the whole—

On motion of Mr. Sherrick, said amendments were ordered to be considered seriatim.

The question being on agreeing to amendment No. 1, the yeas and nays were demanded, taken and resulted—yeas 11, nays 16, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Howland, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, Owens, Richards, Sabine and Tyler—11.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Dungan, Fisher, Grove, Irvine, Jackson of Perry, Marsh, McDonald, Parker, Saltzgaber, Seitz, Sherrick, Stokes, Wagener and Williams—16.

So said amendment was disagreed to.

Amendments Nos. 2, 3, 4 and 5 were informally passed, on motion.

The question being on agreeing to amendment No. 6, the yeas and nays were demanded, taken and resulted—yeas 22, nays 3, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Carlisle, Dungan, Fisher, Forrest, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Sherrick, Tyler, Wagener and Williams—22.

Those who voted in the negative were—

Messrs. Armstrong, Grove and Saltzgaber—3.

So said amendment was agreed to.

The question being on agreeing to amendment No. 7, the yeas and nays were demanded, taken and resulted—yeas 22, nays 5, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Carlisle, Dungan, Fisher, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Krimmel, Lord, Owens, Parker, Richards, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener and Williams—22.

Those who voted in the negative were—

Messrs. Armstrong, Forrest, Marsh, McDonald and Sabine—5.

So said amendment was agreed to.

Amendment No. 8 was agreed to.

Mr. Forrest moved to amend amendment No. 9 by striking out the words "three hundred" and inserting the words "one hundred and fifty."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 12, nays 16, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Dungan, Fisher, Forrest, Irvine, McDonald, Sabine, Saltzgaber, Seitz, Wagener and Williams—12.

Those who voted in the negative were—

Messrs. Carlisle, Carson, Grove, Howland, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Parker, Richards, Sherrick, Stokes and Tyler—16.

So the motion was disagreed to.

Mr. Forrest moved to amend amendment No. 9 by striking out the words "three hundred" and inserting the words "two hundred."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 16, nays 8, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Carson, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, McDonald, Parker, Sabine, Saltzgaber, Seitz, Sherrick, Stokes and Wagener—16.

Those who voted in the negative were—

Messrs. Carlisle, Johnston, Kelley, Krimmel, Lord, Owens, Richards and Tyler—8.

So the motion was agreed to.

Said amendment No. 9, as amended, was then agreed to.

Mr. Howland moved to amend amendments Nos. 10 and 11 by striking out all after line 65 to line 76 and inserting the following, "for salary of clerks in auditor's office, $8,025."

On which motion the yeas and nays were demanded, taken and resulted—yeas 6, nays 19, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Howland, Jackson of Clinton, Johnston, Kelley and Richards—6.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Lord, Marsh, McDonald, Owens, Parker, Sabine, Saltzgaber, Seitz, Sherrick, Stokes and Wagener—19.

So the motion was disagreed to.

Mr. Richards moved to amend said amendments Nos. 10 and 11 by striking out all after line 64 to line 76, and inserting the following, "for salary of clerks in auditor's office, $6,900."

On which motion the yeas and nays were demanded, taken and resulted—yeas 17, nays 13, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Forrest, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Owens, Richards, Sabine, Stokes, Tyler, Wagener and Williams—17.

Those who voted in the negative were—

Messrs. Carlisle, Carson, Dungan, Fisher, Grove, Irvine, Joy, Marsh, McDonald, Parker, Saltzgaber, Seitz and Sherrick—13.

So the motion was agreed to.

The question being on agreeing to said amendments Nos. 10 and 11, as amended—

The yeas and nays were demanded, taken, and resulted—yeas 17, nays 13, as follows:

Those who voted in the affirmative were—.

Messrs. Armstrong, Beebe, Forrest, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Owens, Richards, Sabine, Stokes, Tyler, Wagener and Williams—17.

Those who voted in the negative were—

Messrs. Carlisle, Carson, Dungan, Fisher, Grove, Irvine, Joy, Marsh, McDonald, Parker, Saltzgaber, Seitz and Sherrick—13.

So said amendments were agreed to.

Amendment No. 12 was agreed to.

Mr. Sherrick moved to reconsider the vote whereby amendment No. 12 was agreed to.

On which motion, the yeas and nays were demanded, taken and resulted—yeas 12, nays 15, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Dungan, Grove, Howland, Irvine, Johnston, Kelley, Parker, Sabine and Stokes—12.

Those who voted in the negative were—

Messrs. Fisher, Forrest, Jackson of Clinton, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Seitz, Sherrick, Tyler, Wagener and Williams—15.

So the motion was disagreed to.

Mr. Kelley moved that the Senate take a recess.

Which was agreed to.

THREE O'CLOCK P. M.

When the Senate took a recess it had under consideration H. B. No. 403, the question being on agreeing to amendment No. 13.

Said amendment was agreed to.

Mr. Seitz moved to amend amendment No. 14, by striking out the words "two thousand" and inserting the words "eighteen hundred."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 3, nays 21, as follows:

Those who voted in the affirmative were—

Messrs. Carlisle, Jackson of Clinton and Seitz—3.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Beer, Carson, Dungan, Fisher, Grove, Howland, Jackson of Perry, Johnston, Joy, Kelley, Lord, Marsh, Owens, Richards, Sabine, Saltzgaber, Sherrick, Tyler and Wagener—21.

So the motion was disagreed to.

The question being on agreeing to amendment No. 14, the yeas and nays were demanded, taken and resulted—yeas 18, nays 8, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Grove, Howland, Jackson of Perry, Johnston, Joy, Kelley, Lord, Marsh, Owens, Richards, Saltzgaber, Tyler and Wagener—18.

Those who voted in the negative were—

Messrs. Dungan, Fisher, Forrest, Jackson of Clinton, Parker, Sabine, Seitz and Stokes—8.

So said amendment was agreed to.

Amendment No. 15 was agreed to.

Amendment No. 16 was agreed to.

The question being on agreeing to amendment No. 17, the yeas and nays were demanded, taken and resulted—yeas 12, nays 13, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Carson, Fisher, Forrest, Grove, Irvine, Marsh, Saltzgaber, Seitz, Sherrick and Stokes—12.

Those who voted in the negative were—

Messrs. Beebe, Beer, Dungan, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Lord, Owens, Parker, Richards and Sabine—13.

So said amendment was disagreed to.

The question being on agreeing to amendment No. 18, the yeas and nays were demanded, taken and resulted—yeas 16, nays 8, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Carson, Dungan, Grove, Howland, Johnston, Joy, Kelley, Lord, Marsh, Owens, Parker, Richards, Sabine and Tyler—16.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Fisher, Forrest, Saltzgaber, Seitz, Stokes and Wagener—8.

So said amendment was agreed to.

Amendment No. 19 was agreed to.

The question being on agreeing to amendment No. 20, the yeas and nays were demanded, taken and resulted—yeas 16, nays 13, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Carson, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Owens, Richards, Sabine, and Tyler—16

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Dungan, Fisher, Forrest, Marsh, Parker, Saltzgaber, Seitz, Sherrick, Stokes, Wagener and Williams—13.

So said amendment was agreed to.

The question being on agreeing to amendment No. 21, the yeas and nays were demanded, taken and resulted—yeas 16, nays 13, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Carson, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Owens, Richards, Sabine and Tyler—16.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Dungan, Fisher, Forrest, Marsh, Parker, Saltzgaber, Seitz, Sherrick, Stokes, Wagener and Williams—13.

So said amendment was agreed to.

The question being on agreeing to amendment No. 22, the yeas and nays were demanded, taken, and resulted—yeas 17, nays 13, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Carson, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Owens, Richards, Sabine and Tyler—17.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Dungan, Fisher, Forrest, Marsh, Parker, Saltzgaber, Seitz, Sherrick, Stokes, Wagener and Williams—13.

So said amendment was agreed to.

Mr. Sherrick moved to amend amendment No. 23, by striking out the words "three hundred" and inserting "two hundred."

Said motion was agreed to.

Said amendment No. 23 as amended was agreed to.

The question being on agreeing to amendment No. 24, the yeas and nays were demanded, taken and resulted—yeas 19, nays 8, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Carson, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Lord, Marsh, Owens, Richards, Sabine, Sherrick, Stokes, Tyler, Wagener and Williams—19.

Those who voted in the negative were—

Messrs. Armstrong, Dungan, Fisher, Forrest, Irvine, Parker, Saltzgaber and Seitz—8.

So said amendment was agreed to.

The question being on agreeing to amendment No. 25, the yeas and nays were demanded, taken and resulted—yeas 17, nays 7, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Carson, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Lord, Owens, Richards, Sabine, Sherrick, Stokes, Tyler and Williams—17.

Those who voted in the negative were—

Messrs. Armstrong, Fisher, Forrest, Irvine, Parker, Saltzgaber and Seitz—7.

So said amendment was agreed to.

The question being on agreeing to amendment No. 26, the yeas and nays were demanded, taken and resulted—yeas 18, nays 8, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Carson, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Lord, Owens, Richards, Sabine, Stokes, Tyler, Wagener and Williams—18.

Those who voted in the negative were—

Messrs. Armstrong, Dungan, Fisher, Forrest, Irvine, Parker, Saltzgaber and Seitz—8.

So said amendment was agreed to.

The question being on agreeing to amendment No 27, the yeas and nays were demanded, taken and resulted—yeas 19, nays 8, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Carson, Grove, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Lord, Owens, Parker, Richards, Sabine, Sherrick, Tyler, Wagener and Williams—19.

Those who voted in the negative were—

Messrs. Armstrong, Dungan, Fisher, Forrest, Irvine, Marsh, Saltzgaber and Seitz—8.

So said amendment was agreed to.

Amendment No. 28 was agreed to.

Amendment No. 29 was agreed to.

Amendment No. 30 was agreed to.

The question being on agreeing to amendment No. 31, the yeas and nays were demanded, taken and resulted—yeas 12, nays 16, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Fisher, Grove, Howland, Jackson of Perry, Joy, Owens, Sabine, Saltzgaber, Seitz, Sherrick and Stokes—12.

Those who voted in the negative were—

Messrs. Armstrong, Beer, Carson, Dungan, Forrest, Irvine, Jackson of Clinton, Johnston, Kelley, Lord, Marsh, Parker, Richards, Tyler, Wagener and Williams—16.

So said amendment was disagreed to.
Amendment No. 32 was agreed to.
Amendment No. 33 was agreed to.
Amendment No. 34 was agreed to.
Amendment No. 35 was agreed to.

The question being on agreeing to amendment No. 36, the yeas and nays were demanded, taken and resulted—yeas 14, nays 6, as follows:

Those who voted in the affirmative were—
Messrs. Armstrong, Beebe, Beer, Carson, Dungan, Forrest, Grove, Johnston, Joy, Kelley, Lord, Marsh, Sherrick and Williams—14.
Those who voted in the negative were—
Messrs. Fisher, Howland, Parker, Sabine, Seitz and Wagener—6.
So said amendment was agreed to.

Amendment No. 37 was agreed to.
Amendment No. 38 was agreed to.
Amendment No. 39 was agreed to.
Amendment No. 40 was agreed to.
Amendment No. 41 was agreed to.
Amendment No. 42 was agreed to.
Amendment No. 43 was agreed to.
Amendment No. 44 was agreed to.
Amendment No. 45 was agreed to.
Amendment No. 46 was agreed to.
Amendment No. 47 was agreed to.
Amendment No. 48 was agreed to.
Amendment No. 49 was agreed to.
Amendment No. 50 was agreed to.
Amendment No. 51 was agreed to.
Amendment No. 52 was agreed to.
Amendment No. 53 was agreed to.
Amendment No. 54 was agreed to.
Amendment No. 55 was agreed to.
Amendment No. 56 was agreed to.
Amendment No. 57 was agreed to.
Amendment No. 58 was agreed to.
Amendment No. 59 was agreed to.
Amendment No. 60 was agreed to.
Amendment No. 61 was agreed to.
Amendment No. 62 was agreed to.
Amendment No. 63 was agreed to.
Amendment No. 64 was agreed to.

On motion of Mr, Forrest, amendments Nos. 2, 3, 4 and 5, informally passed, were taken up for consideration.

Amendment No. 2 was agreed to.
Amendment No. 3 was agreed to.

Mr. Howland moved to amend amendment No. 4, by striking out the words "forty thousand" and insert in lieu thereof "sixty thousand."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 7, nays 17, as follows:

Those who voted in the affirmative were—
Messrs. Beebe, Beer, Howland, Johnston, Kelley, Owens and Sabine–7.
Those who voted in the negative were—
Messrs. Armstrong, Carlisle, Carson, Fisher, Forrest, Grove, Jackson of

Perry, Joy, Krimmel, Marsh, Parker, Seitz, Sherrick, Stokes, Tyler, Wagener and Williams—17.

So the motion was disagreed to.

Mr. Jackson of Perry moved to amend said amendment No. 4 by striking out the words "forty thousand" and inserting in lieu thereof the words "forty-four thousand."

On which motion the yeas and nays were demanded, taken and resulted—yeas 20, nays 7, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Carlisle, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Richards, Sabine, Stokes, Tyler and Wagener—20.

Those who voted in the negative were—

Messrs. Armstrong, Carson, Fisher, Forrest, Parker, Seitz and Sherrick—7.

So the motion was agreed to.

The question being on agreeing to amendment No. 4, as amended, the yeas and nays were demanded, taken, and resulted—yeas 21, nays 7, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Richards, Sabine, Seitz, Stokes, Tyler, Wagener and Williams—21.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Carson, Fisher, Forrest, Parker and Sherrick—7.

So said amendment was agreed to.

Mr. Johnston moved that the vote whereby amendment No. 3 was agreed to, be reconsidered.

On which motion, the yeas and nays were demanded, taken and resulted—yeas 13, nays 15, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Owens, Richards, Sabine and Tyler—13.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Marsh, Parker, Seitz, Sherrick, Stokes, Wagener and Williams—15.

So the motion was disagreed to.

The question being on agreeing to amendment No. 5, the yeas and nays were demanded, taken and resulted—yeas 17, nays 11, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carlisle, Carson, Forrest, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Marsh, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Stokes and Wagener—17.

Those who voted in the negative were—

Messrs. Beebe, Dungan, Fisher, Grove, Irvine, Kelley, Krimmel, Lord, Owens, Parker and Tyler—11.

So said amendment was agreed to.

Mr. Forrest moved to amend said H. B. No. 403 by striking out of line 32 section 1 the words, "two thousand dollars," and inserting in lieu thereof the words "two thousand three hundred dollars—fourteen hundred for one clerk, and nine hundred for assistant."

On which motion, the yeas and nays were demanded, taken and resulted—yeas 13, nays 15, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Forrest, Grove, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Owens, Richards, Sabine and Tyler—13.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Carson, Dungan, Fisher, Howland, Irvine, Jackson of Clinton, Marsh, Parker, Seitz, Sherrick, Stokes, Wagener and Williams—15.

So the motion was disagreed to.

Mr. Johnston moved to amend said bill as follows:

In line 168 of section 1 strike out "nine hundred" and insert in lieu thereof the following, "eleven hundred and twenty-five."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 12, nays 14, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Grove, Irvine, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, Richards, Sabine and Tyler—12.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Carson, Dungan, Fisher, Forrest, Marsh, Owens, Parker, Seitz, Stokes, Wagener and Williams—14.

So th · motion was disagreed to.

Mr. Beer moved to amend said bill as follows:

Strike out in lines 118 and 119 "$25" and insert "$100."

On which motion tne yeas and nays were demanded, taken and resulted—yeas 21, nays 6, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Lord. Marsh, Owens, Parker, Richards, Tyler, Wagener and Williams—21.

Those who voted in the negative were—

Messrs. Carlisle, Carson, Howland, Sabine, Seitz and Sherrick—6.

So the motion was agreed to.

Mr. Sherrick moved to amend said bill as follows: Add after line 47 section 2, "for completing and furnishing barn, $850."

Which was agreed to.

Mr. Sherrick moved to further amend said bill as follows: Add after line 47 section 2, "for ordinary repairs $2,000."

Which was agreed to.

Mr. Sherrick moved to further amend said bill as follows: Add after line 47 section 2. "for fitting up store room $500."

Which was agreed to.

Mr. Grove moved to further amend said bill as follows: By striking out in line 77 section 2 the words, "one thousand dollars," and inserting in lieu thereof "two thousand dollars."

Which was agreed to.

Mr. Lord moved to further amend said bill as follows: Strike out in line 88 section 1 "$400," and insert "$550."

Which was agreed to.

Mr. Lord moved to further amend said bill as follows: In line 89, section 1 strike out "$500," and insert "$650."

Which was agreed to.

Mr. Tyler moved to further amend said bill as follows: By striking

out in line 32, section one "two thousand," and inserting "two thousand two hundred."

On which motion, the yeas and nays were demanded, taken and resulted—yeas 16, nays 6, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Dungan, Grove, Howland, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, Owens, Richards, Sabine, Saltzgaber, Sherrick and Tyler—16.

Those who voted in the negative were—

Messrs. Carlisle, Carson, Fisher, Marsh, Parker and Seitz—6.

So the motion was agreed to.

Mr. Parker moved to further amend said bill as follows: Strike out in line 31 section 1 "six hundred and seventy-five" and insert "nine hundred for one year."

Which was agreed to.

Mr. Johnston moved to amend said bill as follows:

After line 119, of section 1, add the following: "For expenses of committees of the two Houses, one thousand dollars."

On which motion, the yeas and nays were demanded, taken and resulted—yeas 8, nays 15, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Johnston, Kelley, Krimmel, Lord, Marsh and Richards—8.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Owens, Parker, Sabine, Saltzgaber, Seitz, Sherrick, Wagener, and Williams—15.

So the motion was disagreed to.

Mr. Saltzgaber moved to amend said bill as follows:

Strike out in line 103, section 1, the words "twelve hundred" and insert "fifteen hundred."

On which motion, the yeas and nays were demanded, taken and resulted—yeas 12, nays 12, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Carson, Johnston, Kelley, Krimmel, Lord, Marsh, Richards, Sabine, Saltzgaber and Tyler—12.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Dungan, Fisher, Forrest, Grove, Jackson of Clinton, Parker, Seitz, Sherrick, Stokes and Wagener—12.

So the motion was disagreed to.

Mr. Beer moved to reconsider the vote whereby his amendment to lines 118 and 119 of said bill was agreed to.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 17, nays 11, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Carlisle, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Lord, Owens, Richards, Sabine and Tyler—17.

Those who voted in the negative were—

Messrs. Armstrong, Carson, Dungan, Fisher, Forrest, Marsh, Parker, Seitz, Sherrick, Wagener and Williams—11.

So the motion was agreed to.

Mr. Wagener moved that the Senate adjourn.

Which was disagreed to.

The question recurring on agreeing to Mr. Beer's motion to amend lines 118 and 119.

Mr. Johnston moved to lay said motion upon the table.

Which was disagreed to.

Mr. Beer moved to substitute for said motion to amend the following:

Strike out lines 118 and 119.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 6, nays 17, as follows:

Those who voted in the affirmative were—

Messrs. Beer, Carlisle, Carson, Dungan, Sabine and Saltzgaber—6.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Fisher, Forrest, Grove, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, Owens, Parker, Sabine, Seitz, Sherrick, Stokes, Tyler and Wagener—17.

So the motion was disagreed to.

The question recurring on Mr. Beer's motion to amend lines 118 and 119 of said bill, the yeas and nays were demanded, taken, and resulted—yeas 8, nays 16, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Dungan, Fisher, Kelley, Krimmel, Lord, Parker and Tyler—8.

Those who voted in the negative were—

Messrs. Beebe, Beer, Carlisle, Carson, Grove, Howland, Jackson of Clinton, Jackson of Perry, Owens, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Stokes and Wagener—16.

So the motion was disagreed to.

Mr. Sherrick moved that said bill be engrossed and placed upon the calendar for third reading to-morrow, and made the special order for 10½ o'clock.

Which was agreed to.

Mr. Saltzgaber submitted the following report:

The committee on Revision has examined, and found correctly engrossed H. J. R. No. 47—Mr. Hostetter.

J. M. Carson, J. C. Fisher,
G. M. Saltzgaber.

Mr. Tyler, on leave, introduced the following bill, which was read the first time:

S. B. No. 186—For the relief of W. J. Jacobs and sureties of Pleasant township, Brown county, Ohio.

Mr. Jackson of Perry submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 290—Suupplementary to an act entitled "An act to provide for the organization and government of municipal corporations," passed May 7, 1869—

Having had the same under consideration, report it back and recommend its passage.

Theo. Marsh, R. G. Richards,
G. A. Grove, Lyman J. Jackson.

Said bill was ordered to be engrossed and read the third time on Saturday next.

Mr. Armstrong submitted the following report:

The standing committee on Claims, to whom was referred H. B. No. 534—For the relief of Horace S. Horton—

Having had the same under consideration, report it back and recommend its passage.

J. M. ARMSTRONG, C. S. PARKER,
H. SABINE, J. C. MCDONALD,
G. A. GROVE, D. D. BEEBE.

Said bill was ordered to be engrossed and read the third time on Saturday next.

Mr. Lord submitted the following report:

The standing committee on Railroads, Telegraphs and Turnpikes, to whom was referred H. B. No. 322—Entitled "An act to amend the act entitled an act to amend the first section of the act entitled an act to amend sections 1, 2, 4, 5, 6 and 11 of an act to authorize the county commissioners to construct roads on petition of a majority of the land owners along and adjacent to the line of said road, and to repeal an act therein named," passed March 29, 1867; passed March 31, 1868. (Ohio Laws, volume 65, page 41; Swan & Sayler, 673.)—

Having had the same under consideration, report it back, and recommend its passage.

GEO. P. TYLER, H. C. LORD,
J. M. CARSON, H. SABINE.

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Saltzgaber submitted the following report:

The standing committee on Salaries and Fees of Public Officers, to whom was referred S. B. No. 180—To abolish the office of railroad commissioner, and repealing the acts passed April 5, 1867, (S. & S., p. 76) and the act of April 8, 1871, (O. L., p. 55.)—

Having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended:

Strike out the word "be," in line 3, section 1, and insert in lieu thereof the words "as provided by law, are hereby."

G. M. SALTZGABER, JOHN SEITZ,
THEO. MARSH, H. SABINE.

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Dungan submitted the following report:

The standing committee on Corporations other than Municipal, to whom was referred H. B. No. 457—To authorize private cemetery associations brought within the corporate limits of incorporated villages to become incorporated—

Having had the same under consideration, report it back and recommend its passage.

IRVINE DUNGAN, LYMAN J. JACKSON,
J. R. JOHNSTON, R. G. RICHARDS,
GEO. P. TYLER.

Said bill was ordered to be engrossed and read the third time on Saturday next.

On motion of Mr. Richards, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

FRIDAY, MAY 3, 1878—10 o'clock A. M.

The Senate met pursuant to adjournment.
Prayer by Rev. G. S. Hopkins.
The Journal was read and approved.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has agreed to the report of the committee of conference on—

S. B. No. 172—Mr. Carlisle—To authorize the commissioners of Athens county, Ohio, to build a court house.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 405—Mr. Danford—To authorize the commissioners of Belmont county to pay to Samuel D. Talbott sixty dollars, for the pursuit and capture of a horse thief.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

Sub. for H. B. No. 439—Mr. Oglevee—To create a sub-school district in Madison township, Clark county, Ohio.

H. B. No. 530—Mr. Van Cleaf—To amend an act of April 12, 1877, entitled "An act to amend an act entitled an act to authorize trustees of townships to appropriate lands for cemetery purposes," passed and took effect April 3, 1867, (74 v., 87).

H. B. No. 526—Mr. Bull—For the relief of Joseph Stofel.

H. B. No. 447—Mr. Groschner—To define certain water courses.

H. B. No. 428—Mr. Luccock—To require the commissioners of the counties of Butler, Warren, Clinton, Clermont and Fayette to pay a local bounty.

H. B. No. 111—Mr. Covert—To provide for courts of conciliation, with respect to contracts and controversies concerning the productive industries of the State of Ohio, and to prevent strikes.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 518—Mr. Seifert—To authorize the city of Lancaster, Ohio, to issue bonds to purchase cemetery grounds.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Leave of absence was asked and obtained for Mr. Sabine until Monday next.

Leave of absence was asked and obtained for Mr. Steedman's investigating committee until Tuesday next.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 169—Mr. Saltzgaber—To authorize the council of the city of Lima to levy a tax for library purposes.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the adoption of the following joint resolution:

S. J. R. No. 50—Mr. Forrest—Relating to the improvement of State lands in the city of Columbus—

With the following amendment, in which the concurrence of the Senate is requested:

In line 8, after the word "therein," insert t e words "in all cases where the State owns the land abutting on both sides of such street; and all cases where the State owns the land abutting on one side only of such street, that such improvement shall be made to the center only of such street, and upon the side thereof on which the land of the State so abuts."

Attest: L. A. BRUNNER, *Clerk.*

The question being on concurring in said House amendment—

The yeas and nays were taken, and resulted—yeas 26, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Richards, Saltzgaber, Seitz, Stokes, Tyler, Wagener and Williams—26.

So the Senate concurred in said amendment.

Mr. Carlisle submitted the following report:

The committee of conference to whom was referred matters of difference between the two Houses, on S. B. No. 172—

Having had the same under consideration, recommend that the Senate concur in the bill, as amended in the House, amended by the committee of conference, as follows, to-wit:

By striking out the words "general or special election," in lines 4 and 5, of section 5, and inserting instead, "at a called election, to be held on Saturday, the first day of June next."

And by striking out the words "for at least thirty days," in lines 9 and 10, of section 5, and inserting instead, "in four successive issues."

B. W. CARLISLE,
R. G. RICHARDS,
GEO. P. TYLER,
On part of the Senate.

CHARLES TOWNSEND,
HENRY BOHL,
J. B. WRIGHT,
On part of the House.

The question being on agreeing to said report of the conference committee, the yeas and nays were taken and resulted—yeas 24, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Irvine, Johnston, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Richards, Seitz, Stokes, Tyler, Wagener and Williams—24.

So said report was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 542—Mr. Jessup—To amend section 7 of an act entitled "An act to provide for the election of township assessors, and to prescribe their duties," passed and took effect April 4, 1859, amended February 24, 1862, amended March 13, 1865, (v. 62 Stat., 41) amended April 6, 1878.

H. B. No. 543—Mr. Jessup—To regulate judicial sales.

H. B. No. 544—Mr. Sawyer—To authorize the village of Minster, in the county of Auglaize, to issue bonds for the purpose therein named.

H. B. No. 545—Mr. Hendrick—To amend sections 53 and 54 of an act entitled "An act to provide for the creation and regulation of incorporated companies in the State of Ohio," passed May 1, 1852, (S. & C., pp. 271, 299 and 300), as amended by an act to provide for the creation and regulation of incorporated companies in the State of Ohio, passed April 17, 1867, (S. & S., p. 157), and to provide for the creation and regulation of competing gas companies.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Seitz submitted the following report:

The standing committee on Reform Schools and Industrial School for Girls, to whom were referred House amendments to S. B. No. 11—To establish the Girls' Industrial Home, and repeal certain acts therein named—

Having had the same under consideration, report them back, and recommend that the Senate disagree to said amendments and ask for a committee of conference.

G. A. Grove, Lyman J. Jackson,
John Seitz, B. W. Carlisle.

Said report was agreed to.

On motion of Mr. Sherrick, the Senate proceeded to the consideration of the special order of the hour, viz.:

H. B. No. 403—Mr. Alexander—Making appropriations for the fiscal year 1878 and the first quarter of the fiscal year 1879.

Said bill was read the third time.

Mr. Dungan moved to refer the bill to a select committee of one with instructions to amend as follows:

Strike out, in lines 110 and 111, section 1, the words "five hundred," and insert "eight hundred and fifty."

On which motion the yeas and nays were demanded, taken and resulted—yeas 12, nays 14, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Curtiss, Dungan, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Owens, Richards and Tyler—12.

Those who voted in the negative were:

Messrs. Armstrong, Carlisle, Carson, Fisher, Grove, Irvine, Lord, Marsh, Parker, Saltzgaber, Seitz, Sherrick, Wagener and Williams—14.

So the motion was disagreed to.

Mr. Johnston moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 144, section 1, strike out the word "nine," and insert "eleven hundred and twenty-four."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 14, nays 11, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Curtiss, Howland, Irvine, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Owens, Richards, Tyler and Wagener—14.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Fisher, Grove, Marsh, Parker, Saltzgaber, Seitz, Sherrick, Stokes and Williams—11.

So the motion was agreed to, and Mr. Johnston, was appointed such committee.

Mr. Johnston, on leave, submitted the following report:

The select committee of one, to whom was referred H. B. No. 403, with instructions to amend, reports the same back amended as instructed.

J. R. Johnston.

Mr. Owens moved to refer to select committee of one, with instructions to amend as follows:

Strike out, in line 35, engrossed bill, "$300," and insert "600."

Which was agreed to, and Mr. Owens was appointed such committee.

Mr. Owens, on leave, submitted the following report:

The select committee of one, to whom was referred H. B. No. 403, with instructions to amend, reports the same back amended as instructed.

JAS. W. OWENS.

Mr. Wagener moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out from line 72, section 1, the words "nineteen hundred," and insert the following: "twenty-two hundred and seventy-five.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 17, nays 8, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carson, Curtiss, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, Owens, Richards, Tyler, Wagener and Williams—17.

Those who voted in the negative were—

Messrs. Dungan, Fisher, Grove, Marsh, Parker, Seitz, Sherrick and Stokes—8.

So the motion was agreed to, and Mr. Wagener was appointed as such committee.

Mr. Wagener, on leave, submitted the following report:

The select committee of one, to whom was referred H. B. No. 403, with instructions to amend, reports the same back amended as instructed.

D. WAGENER.

Mr. Owens moved to refer the bill to select committee of one, with instructions to amend by inserting, after line 4, section 1, the following:

"To provide camp and garrison equipage for militia, as required by law, $18,000 00.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 15, nays 12, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Curtiss, Grove, Howland, Irvine, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Owens, Richards, Saltzgaber and Tyler—15.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Carson, Dungan, Fisher, Forrest, Marsh, Parker, Seitz, Sherrick, Stokes and Williams—12.

So the motion was agreed to, and Mr. Owens was appointed such committee.

Mr. Owens, on leave, submitted the following report:

The select committee of one, to whom was referred H. B. No. 403, with instructions to amend, reports the same back amended as instructed.

JAS. W. OWENS.

Mr. Krimmel moved to refer the bill to a select committee of one with instructions to amend as follows:

After line 55, section 1, insert: "For covering diagonal walk on east half of State House grounds, with asphalt, four hundred dollars."

Which was agreed to, and Mr. Krimmel was appointed such committee.

Mr. Krimmel, on leave, submitted the following report:

The select committee of one, to whom was referred H. B. No. 403, with instructions to amend, reports the same back amended as instructed.

C. F. KRIMMEL.

Mr. Lord moved to reconsider the vote whereby Mr. Dungan's motion to amend lines 110 and 111 section 1 was lost.

On which motion the yeas and nays were demanded, taken, and resulted, yeas 14, nays 13, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Curtiss, Dungan, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Owens, Richards and Tyler—14.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Carson, Fisher, Forrest, Grove, Marsh, Parker, Seitz, Sherrick, Stokes, Wagener and Williams—13.

So the motion was agreed to.

The question recurring on agreeing to said amendment to lines 110 and 111—

The yeas and nays were demanded, taken, and resulted—yeas 15, nays 13, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Curtiss, Dungan, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Owens, Richards and Tyler—15.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Carson, Fisher, Forrest, Grove, Marsh, Parker, Seitz, Sherrick, Stokes, Wagener and Williams—13.

So said amendment was agreed to, and Mr. Dungan was appointed such committee.

Mr. Dungan, on leave, submitted the following report:

The select committee of one, to whom was referred H. B. No. 403, with instructions to amend, reports the same back amended as instructed.

IRVINE DUNGAN.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 18, nays 9. as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Carson, Curtiss, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, Owens, Parker, Richards, Tyler, Wagener and Williams—18.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Dungan, Fisher, Forrest, Grove, Marsh Seitz and Sherrick—9.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has refused to concur in the passage of—

S. B. No. 22—Mr. Saltzgaber—To fix the compensation of the Attorney General.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Carson submitted the following report:

The committee on Revision has examined and found correctly engrossed, S. B. No. 180—Mr. Joy.

J. C. Fisher, J. M. Carson,
G. M. Saltzgaber.

Mr. Carson submitted the following report:

The committee on Revision has examined and found correctly engrossed S. B. No. 179—Mr. Saltzgaber; also S. J. R. No. 54—Mr. Owens.

J. M. Carson, G. M. Saltzgaber,
J. C. Fisher.

Mr. Grove submitted the following report:

The committee on conference, to whom was referred the subject matter of difference between the two Houses upon Senate amendments to H. B. No. 96, have had the same under consideration, and recommend that the House concur in Senate amendments Nos., 1, 2, 4, 5 and 6, and that the Senate recede from its amendment No. 8.

G. A. Grove, D. Wagener,
Thos. S. Jackson.

Senate Committee.

Henry Bohl, Henry Maury,
J. P. Smead.

House Committee.

The question being on agreeing to said report, the yeas and nays were taken, and resulted—yeas 19, nays 8, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Jackson of Clinton, Krimmel, Lord, Marsh, Owens, Parker, Saltzgaber, Seitz, Stokes, Tyler, Wagener and Williams—19.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Perry, Johnston, Kelley and Richards—8.

So said report was agreed to.

Bills were read the second time and referred as follows:

S. B. No. 184—Mr. Parker—To amend section 11, of chapter 6, of the criminal code as passed on the 5th day of May, A. D. 1877, entitled "An act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title 1, crimes and offenses, part 4, of the act to revise and consolidate the general statutes of Ohio."

To committee on Judiciary.

S. B. No. 185—Mr. Carlisle—To regulate the fees of county surveyors.

To committee on Fees and Salaries of Public Officers.

S. B. No. 186—Mr. Tyler—For the relief of W. J. Jacobs and sureties, of Pleasant township, Brown county, Ohio.

To committee on Corporations other than Municipal.

On motion of Mr. Marsh, the Senate took a recess.

THREE O'CLOCK P. M.

H. B. No. 481—Mr. Townsend—To provide for the recording, in book form, of the military record of all persons who have served in the

army of the United States in the war of the rebellion, which began April, A. D. 1861, and who were accredited to the State of Ohio as soldiers; and supplementary to an act entitled "An act appropriating money to pay for transcribing certain muster rolls of Ohio volunteers into permanent record, and for obtaining information in regard to Union soldiers' graves, and providing for a suitable head-stone," passed May 7, 1877.

Was read the third time.

On demand of Mr. Tyler a call of the Senate was had.

Messrs. Benson, Dungan, Forrest, Irvine, Jackson of Perry, Joy, Sherrick, Stokes and Williams were absent.

Mr. Tyler moved that the Sergeant-at-Arms be dispatched for absentees.

Which was disagreed to.

On motion of Mr. Marsh, further proceedings under the call were dispensed with.

Mr. Howland moved that said bill (H. B. No. 481) be laid upon the table.

Which was agreed to.

Mr. Fisher moved that S. B. No. 180 be postponed, and read the third time on Tuesday next.

Which was agreed to.

H. B. No. 322—Mr. Norton—Entitled "An act to amend the act entitled an act to amend the first section of the act entitled an act to amend sections 1, 2, 4, 5, 6 and 11 of an act to authorize the county commissioners to construct roads on petition of a majority of the land owners along and adjacent to the line of said road, and to repeal an act therein named," passed March 29, 1867; passed March 31, 1868, (O. L., v. 65, p. 41; S. & S., 673).

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 19, nays 4, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Howland, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Parker, Richards and Tyler—19.

Those who voted in the negative were—

Messrs. Irvine, Owens, Seitz and Wagener—4.

So the bill was passed. The title was agreed to.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 490—To authorize the transfer of funds in the treasury of the incorporated village of Elyria, Lorain county—

Having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH, G. M. SALTZGABER,
R. G. RICHARDS, G. A. GROVE.

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 21, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Dungan, Fisher,

Grove, Howland, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Richards, Seitz, Tyler and Wagener—21.

Mr. Irvine voted in the negative—1.

So the bill was passed. The title was agreed to.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 469—To authorize the trustees and the board of education of Sheffield township, Lorain county, to build a town hall and school house jointly—

Having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH, G. M. SALTZGABER,
R. G. RICHARDS, G. A. GROVE.

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 19, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carson, Curtiss, Dungan, Fisher, Grove, Johnston, Kelley, Krimmel, Lord, McDonald, Owens, Parker, Richards, Seitz, Tyler and Wagener—19.

So the bill was passed. The title was agreed to.

Mr. Dungan offered the following joint resolution:

S. J. R. No. 55—*Be it resolved by the General Assembly of the State of Ohio*, (three-fifths of the members elect to each House concurring therein), That it be and is hereby proposed to the electors of the State of Ohio, to vote at the annual election on the second Tuesday of October, A. D. 1879, upon the approval or rejection of the following amendment, as an additional section to Article X of the Constitution of Ohio:

Section 8. In all cases where fees are provided for the compensation of the county officers herein named, they shall be paid only out of, and in no instance exceed, the fees actually collected.

The compensation, including necessary clerk hire, allowed per annum for the auditor, clerk of courts, sheriff and probate judge, in counties of the State having by the Federal census last taken, before the fixing of such compensation, a population less than 20,000 inhabitants, shall not be more than fourteen hundred dollars ($1,400).

In counties having a population of over 20,000 and less than 25,000 inhabitants, not more than seventeen hundred dollars ($1,700).

In counties having a population of over 25,000 and less than 30,000 inhabitants, not more than nineteen hundred dollars ($1,900).

In counties having a population over 30,000 and less than 37,000 inhabitants, not more than twenty-one hundred dollars ($2,100).

In counties having a population of over 37,000 and less than 45,000 inhabitants, not more than twenty-eight hundred dollars ($2,800).

In counties having a population of over 45,000 and less than 60,000 inhabitants, not more than four thousand dollars ($4,000).

In counties having a population of over 60,000 and less than 75,000 inhabitants, not more than five thousand dollars ($5,000).

In counties having a population of over 75,000 and less than 200,000 inhabitants, not more than five thousand dollars ($5,000), and an additional one hundred dollars for every additional 1,000 inhabitants over 75,000.

In counties having a population over 200,000, not more than twenty-five per cent. over and above the amount of salaries allowed in the county having the highest population less than 200,000; provided, that sheriffs may receive by law additional compensation for subsisting prisoners in jail and conveying convicts to the penitentiary.

The compensation per annum of county treasurers, including necessary clerk hire, in all counties where the total value of all taxable property in any year does not exceed six millions of dollars, shall be one thousand dollars ($1,000); and in every county where the total value of the taxable property exceeds six millions in any year, the treasurer in any such county shall receive, in addition to the thousand dollars, not more than one hundred dollars ($100) for each additional million dollars, or any portion thereof; provided, that the compensation of no officer shall be increased or diminished during his term of office by any law.

All fees and allowances received by such officers shall be paid into the county treasury.

The General Assembly, at its first session after the ratification of this amendment, shall pass a law fixing the fees of county officers as herein prescribed, so as to reduce as far as possible any surplus that might remain in the county treasury after the compensation of the county officers named herein has been paid; and the General Assembly shall enact all laws necessary to enforce the provisions of this amendment.

FORM OF BALLOT.

At said election, the voters desiring to vote in favor of the adoption of this amendment shall have placed on their ballots the words "Constitutional amendment to limit fees and salaries of county officers—Yes;" and the voters desiring to vote against the adoption of this amendment shall have placed on their ballots the words "Constitutional amendment to limit fees and salaries of county officers—No."

On motion of Mr. Dungan, said joint resolution was laid upon the table and ordered to be printed,

Mr. Seitz submitted the following report:

The standing committee on Finance, to whom was referred—

H. B. No. 535—Requiring county auditors to provide poll books and tally sheets for elections—

Having had the same under consideration, report it back, with the following amendment, and recommend its adoption when so amended:

Strike out in line 2, "auditor," and insert "clerk of the court of common pleas."

J. Sherrick, H. W. Curtiss,
J. M. Carson, H. C. Lord,
John Seitz.

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 21, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Jackson of Perry, Johnston, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Saltzgaber, Seitz, Tyler and Wagener—21.

Those who voted in the negative were—

Messrs. Howland and Irvine—2.

So the bill was passed.

Mr. Seitz moved to amend the title by striking out the words "county auditor" and inserting in lieu thereof the words "clerks of the courts of common pleas."

Which was agreed to.

The title, as amended, was agreed to.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled the following bills:

H. B. No. 298—In regard to the boundary monuments on the line between the States of Ohio and Pennsylvania.

Sub. for H. B. No. 189—To enable the commissioners of Ross and other counties to purchase toll roads and convert the same into free roads.

IRVINE DUNGAN,	WM. JESSUP,
R. G. RICHARDS,	E. S. PERKINS,
C. R. HARMON,	F. M. CARTER,
J. R. JOHNSTON,	A. D. MARSH.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives accedes to the request of the Senate, and has appointed Messrs. Van Cleaf, Bull and Scott, a Conference committee to consider the differences existing between the two Houses on—

S. B. No. 11—Mr. Benson—To establish the Girls' Industrial Home, and to repeal certain acts therein named.

Attest: L. A. BRUNNER, *Clerk.*

The President appointed Messrs, Seitz, Wagener and Kelley as Conference committee on part of the Senate, on said bill.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to—

H. J. R. No. 47—Mr. Hostetter—Authorizing the Governor to execute a deed to Jno. A. Mills, assignee of Peter Stubbs.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Richards submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled the following bills:

S. B. No. 172—An act to authorize the commissioners of Athens county, Ohio, to build a court house.

S. B. No. 171—To amend section 9 of an act entitled "An act supplementary to an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio," passed May 1, 1852, passed April 15, 1867, (S. & S., 186); as amended February 25, 1869, (O. L., v. 66, p. 11); as amended April 20, 1876, (O. L., v. 73, p. 188); as amend-

ed March 12, 1877, (O. L., v. 74, p. 38); as amended March 28, 1878, (O. L., v. 75).

IRVINE DUNGAN, J. W. WASHBURN,
WM. JESSUP, F. M. CARTER,
R. G. RICHARDS, J. R. JOHNSTON.

Mr. Carson submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred H. B. No. 105—To amend section 50 of an act entitled "An act for the reorganization and maintenance of common schools," passed May 1, 1873, and to repeal section 31 of an act entitled "An act to amend and supplementary to an act entitled an act to provide for the organization, supervision and maintenance of common schools," passed March 14, 1852, and acts amendatory thereto; also, supplementary to an act for the support and better regulation of common schools in the town of Akron, passed February 8, 1847, and the acts amendatory thereto; also, supplementary to an act for the better regulation of the public schools in cities, towns, etc., passed February 21, 1849, and the acts amendatory thereto—

Having had the same under consideration, report it back, and recommend its passage.

J. M. CARSON, H. C. LORD,
D. WAGENER, C. F. KRIMMEL,
G. A. GROVE.

Said bill was ordered to be engrossed, and read the third time on Wednesday next.

Mr. Wagener submitted the following report:

The standing committee on Manufactures and Commerce, to whom was referred S. B. No. 138—For the better protection of lives and property against accidents occasioned by steam, and to prohibit unqualified persons from managing or controlling stationary steam boilers, engines and apparatus—

Having had the same under consideration, report it back, and recommend its passage.

D. WAGENER, THOS. M. BEER,
J. M. ARMSTRONG, G. A. GROVE,
LINDSEY KELLEY, J. B. WILLIAMS.

Said bill was ordered to be engrossed, and read the third time tomorrow.

Mr. Lord submitted the following report:

The standing committee on Railroads and Telegraphs, to whom was referred S. B. No. 176—To further regulate street railroad companies—

Having had the same under consideration, report it back, and recommend its passage.

GEO. P. TYLER, H. SABINE,
J. C. FISHER, J. M. CARSON,
H. C. LORD, D. JOY.

Said bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Lord, on leave, introduced the following bill, which was read the first time:

S. B. No. 187—To authorize counties having a city of the first class

with a population exceeding 200,000 inhabitants, to issue bonds for the payment of avenues in certain cases.

Mr. Jackson of Perry submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 46—Supplementary to an act entitled "An act for the reorganization and maintenance of common schools, passed May 1, 1873—

Having had the same under consideration, report it back, and recommend its passage.

J. R. Johnston, Lyman J. Jackson,
W. T. Forrest, D. Wagener,
G. M. Saltzgaber.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Saltzgaber submitted the following report:

The select committee of eight, to whom was referred H. B. No. 41—To amend, revise and consolidate the statutes relating to municipal corporations, to be known as title 12, part 1, of the act to revise and consolidate the general statutes of Ohio—

Having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

1. In clause 5, section 6, chapter 1, division 3, page 41:

After "regulate" add "and," and strike out "and prohibit" after "restrain."

2. In clause 7, section 6, chapter 1, division 3, page 41:

Strike out "prohibit" and insert "restrain."

3. In line 1, section 1, clause 11, chapter 3, division 3, page 54:

After "regulate" insert "and," and strike out "and prohibit."

4. In line 1, clause 2, section 1, chapter 3, division 3, page 53:

Strike out "or suppress."

5. In line 1, clause 20, section 1, chapter 3, division 3, page 55:

After "to" insert "provide for and."

6. To section 1, chapter 4, division 3, page 57:

Add "or to delegate the power to execute such contracts."

7. To section 1, chapter 1, division 4, page 60:

Add "and the president of the board of trustees shall have the same powers and perform the same duties as are prescribed for mayors of villages, by chapter 5, division 4, of this title, except that he shall receive no compensation for his services except those allowed for similar services to justices of the peace."

8. In line 2, section 4, chapter 2, division 4, page 63:

After the word "auditor" insert "and clerk of the police court."

9. In line 4, section 1, chapter 5, division 4, page 75:

After the word "cases" insert "and his proceedings therein may be reviewed in the same manner."

10. To section 31, chapter 5, division 4, page 84:

Add "but he shall not be required to prosecute any action before the mayor for the violation of any ordinance without first advising such action."

11. To section 38, chapter 5, division 4, page 85:

Add "and no additional counsel shall be appointed or employed at the expense of the corporation, except by a resolution of the council, adopted for that purpose, specifying the case in which such additional attorney is employed, the reasons therefor, and the compensation to be paid."

12. In lines 9 and 10, sub-division 1, chapter 3, division 5, page 102: Strike out "limits of the corporation" and insert "jurisdiction of the mayor in the same."

13. After section 30, chapter 2, division 5, page 101, insert new section:

SEC. 31. When a fine is the whole or part of a sentence, the court, mayor, or president of the board of trustees, may order that the person sentenced shall remain confined in the county jail, work-house or prison, until the fine and costs be paid, or secured to be paid, or the offender be otherwise legally discharged. [66 v. 314, § 180; 60 v. 66, § 1, S. & S., 610.]

14. To strike out all of section 1, sub-division 1, chapter 5, division 5, page 111, and insert:

SECTION 1. All police powers and duties, connected with and incident to the appointment, regulation, and government of a police force in cities of the first grade of the first class, shall be vested in a board of five members, heretofore appointed by the Governor, one of said members having been appointed for one year, one for two years, one for three years, one for four years, and one for five years; and hereafter, at each annual municipal election, a member of the board shall be elected by the electors of such city, to serve for the term of five years, his term commencing upon the expiration of the term of the member whom he succeeds; but if a vacancy occur from any cause other than the expiration of a term, the remaining members of the board shall appoint a suitable person to hold the office until the next regular municipal election, when the electors of such city shall elect his successor, to serve for the remainder of the unexpired term. [74 v. 42, § 1.]

15. To strike out all of section 12, chapter 5, division 5, pages 114 and 115, and insert:

SEC. 12. Appointments on the police force shall be during good behavior and the pleasure of the board of police commissioners. [74 v. 44, § 4.]

16. To strike out all of section 19, chapter 6, division 5, page 167, after the word "discretion," in line 7.

16½. To strike out all of section 70, chapter 6, division 5, page 182, and insert:

SEC. 70. A person so sentenced shall be received into such work-house, and shall be there kept and confined at labor, and shall be subject to the rules, regulations, and discipline thereof, until the expiration of his sentence, when such party shall be discharged; but no person committed or held in default of the payment of a fine, penalty, or costs of any prosecution shall be released under the laws providing for the relief of insolvent debtors. [66 v. 195, § 276.]

17. To strike out of section 14, pages 190 and 191, chapter 1, division 6:

All after the word "pest-house," in line 10.

18. To add after section 12, chapter 3, division 6, page 199:

"Provided, that the board may reject any and all bids."

19. To strike out all of chapter 4, division 6, pages 200, 201, 202, 203, and insert instead thereof:

CHAPTER 4.

INFIRMARIES.

SECTION
1. Board of infirmary directors.
2. Location of pest-houses, etc.
3. Election and qualification of directors—compensation.
4. To be governed by regulations applicable to hospitals.
5. Their care for the inmates; separation of the sexes, etc.
6. Appointment of overseers of the poor.
7. Police board to act as infirmary directors in Cincinnati.
8. Appointment of officers, etc., of infirmary, and their compensation.
9. Appointment of overseers of the poor.
10. Penalty for misapplying supplies, by overseer.

SECTION 1. The management of affairs of all corporation infirmaries now existing, or which may hereafter be established, and the care of the inmates thereof, the erection and enlargement of infirmary buildings and additions thereto, and the repair and furnishing thereof, the improvement of the grounds therewith connected, and the granting of outdoor relief to the poor, shall be vested, except in cities of the first grade of the first-class, in a board of three directors, which shall be called "The board of infirmary directors." [72 v. 76, §298.]

SEC. 2. The infirmary, or the pest-house of the corporation may be located either within or outside of the corporation limits, and the council is authorized to purchase and hold the necessary real estate on which to build the same. [72 v. 76, § 298.]

SEC. 3. The directors shall be electors and be elected by the electors of the corporation, and shall hold their office for three years, except that at the first election one of the directors shall be chosen to serve for one year, one for two years, and one for three years, and thereafter one shall be elected annually, and the directors shall receive such compensation as the city council may, by ordinance, provide. [70 v. 100, § 299.]

Sec. 4. In the management of an infirmary, in the care and treatment of the inmates thereof, and in the erection, enlargement, or repair of any building for infirmary purposes, or of any addition thereto, the directors shall have the same powers, be governed by the same regulations, and perform the same duties, as far as applicable, as are vested in the commissioners of hospitals, as provided in the preceding chapter; and the power of the council in relation to such infirmaries, and the conduct of the directors thereof shall be the same, so far as applicable, as provided in the chapter in relation to hospitals. [66 v. 200, sec. 300.]

Sec. 5. The directors shall further see that the inmates of such infirmary are comfortably provided for and kindly treated; and they may, whenever deemed necessary, provide for the care and support of the males and females in separate buildings, or in separate departments of the same building. [66 v. 200, sec. 301.]

Sec. 6. The council shall provide by ordinance for the appointment by the mayor, subject to the approval of the council, of such number of persons as may be deemed necessary, not to exceed one in each ward, to act as overseers of the poor, and shall prescribe the duties of such persons in relation to the care of the poor, and their removal, when necessary, to the infirmary, but such persons shall not receive any compensation for their services. [72 v. 12, sec. 302.]

Sec. 7. In cities of the first grade of the first class, the board of police commissioners shall have the powers and perform the duties given and prescribed to and for the board of infirmary directors in this chapter.

Sec. 8. The board of police commissioners of such city shall appoint a general superintendent, with a salary not exceeding twelve hundred dollars per annum; a superintendent, who shall be empowered to take charge of the infirmary, with a salary not exceeding one thousand dollars; a matron, with a salary not exceeding three hundred dollars; a physician, with a salary not exceeding six hundred dollars; a storekeeper, with a salary not exceeding five hundred dollars; an engineer, with a salary not exceeding six hundred dollars; a baker, with a salary not exceeding three hundred add sixty dollars; a farmer, with a salary not exceeding twenty-five dollars per month; a dairyman, with a salary not exceeding twenty dollars per month; a cook, with a salary not exceeding twenty dollars per month; a seamstress, with a salary not exceeding fifteen dollars per month; a fore-woman in the laundry, with a salary not exceeding fifteen dollars per month; and a nurse for each ward in the infirmary, at a salary not exceeding twenty-five dollars per month.

Sec. 9. The board of police commissioners shall forthwith divide the city into twelve districts, and detail from the sanitary and regular police force of the city twelve men, who shall perform all the duties heretofore performed by overseers of the poor; but for the discharge of their respective duties under the provisions of this chapter, the board may allow extra compensation to the members of the sanitary and police force thus detailed, a sum not exceeding ten dollars per month each, while engaged upon such detailed duty, for the payment of rent, and other necessary expenses.

Sec. 10. Whoever, being an officer detailed as provided in the last section, misapplies, or in any manner diverts from the uses to which supplies of any sort are appropriated by the board of police commissioners for distribution, shall be fined not exceeding one hundred dollars, and imprisoned in the work-house for a period not exceeding thirty days, and forever thereafter be ineligible to act as a member of the police or sanitary force of such city.

20. To insert in line 2, section 9, chapter 5, division 7, page 230:

After the word "class," "or in counties containing a city of the first grade of the first class."

21. In line 4, section 9, chapter 5, division 7, page 230:

Strike out the "five."

22. In line 8, section 9, chapter 5, division 7, page 230:

Strike out "tenth" and insert "fifteenth."

23. In line 1, section 10, chapter 5, division 7, page 230:

Insert, after "class," "or in corporations in counties containing a city of the first grade of the first class."

24. In line 1, section 11, chapter 5, division 7, page 231:

Insert, after "class," "or in corporations in counties containing a city of the first grade of the first class."

25. In line 5, section 25, chapter 5, division 7, page 235:

Strike out "real party in interest," and insert "corporation."

26. In line 2. section 16, chapter 5, division 7, page 235:

Strike out "real party in interest," and insert "corporation."

27. Strike out all of section 28, chapter 5, division 7, pages 235 and 236, and insert:

Sec. 28. In every such action the court shall disregard any technical irregularity or defect, whether in the proceedings of the board of improvements, or of the council, or of any officer of the corporation, or in the plans or estimates; and the acceptance of the work by the council, on the certificate of the engineer, shall be presumptive evidence that the contract has been complied with, but a substantial defect in the construction of the improvement shall be a complete defense.

28. In lines 6 and 7, section 34, chapter 5, division 7, page 237:

Strike out "with ten per cent. penalty to cover the interest and expense of collection."

29. In line 7, section 42, chapter 5, division 7, page 240:

Strike out "real party in interest," and insert "corporation."

30. In line 9, section 43, chapter 5, division 7, page 240:

Strike out "and," and insert "or."

31. In lines 10 and 11, section 43, chapter 5, division 7, page 240:

Strike out "such publication shall not be required."

32. In line 12, section 43, chapter 5, division 7, page 240:

Strike out "but in lieu of such publication."

33. Strike out the whole of subdivision 2, chapter 5, division 8, pp. 296 and 297, and insert:

SUBDIVISION II. HORSE CARS.

Sec. 4. No corporation, individual or individuals, shall perform any work in the construction of a street railroad until application for leave is made to the council, in writing, and council, by ordinance, shall have granted permission, and prescribed the terms and conditions upon, and the manner in which the road shall be constructed and operated, and the streets and alleys which shall be used and occupied therefor. [66 v. 217, § 411.]

Sec. 5. No ordinance for such purpose shall be passed until public notice of the application therefor has been given by the clerk of the corporation, in one or more of the daily papers, if there be such, and if not, then in one or more of the weekly papers published in the corporation, for the period of at least three consecutive weeks; and no such grant shall be made except to the corporation, individual or individuals, that will agree to carry passengers upon such proposed railroad at the lowest rates of fare and shall have previously obtained the written consent of a majority of the property-holders on the line of the proposed street railroad, represented by the feet front of lots abutting on the street along which such road is proposed to be constructed; provided, that no grant, nor renewal of any grant for the construction or operation of any street railroad shall be valid for a greater period than twenty-five years from the date of such grant or renewal. [67 v. 77, § 412.]

Sec. 6. Before any street railroad shall be constructed on any street of less width than sixty-seven feet, with a roadway of forty feet or under, the council shall provide that the crown of the street shall be made a nearly flat uniform curve from curb to curb, without ditch gutters, and in such a manner as to give all wheeled vehicles the full use of the roadway up to the face of the curb, after the plan of the streets in the cities of Philadelphia and New York. [66 v. 217, § 413.]

Sec. 7. The council may require any part or all of the track between the rails of any street railroad, constructed within the corporate limits, to be paved with gravel, bowlders, or the Nicholson, or other wooden

pavement, as may be deemed proper; but without the corporate limits, paving between the rails with bowlders or the Nicholson, or other wooden pavement shall not be required. [66 v. 217, § 414.]

SEC. 8. The council of any city or village may grant permission, by ordinance, to any corporation, individual or company owning or having the the right to construct any street railroad, to extend their track, subject to the provisions of sections 4 and 5 of the act of March 27, 1866, entitled "An act supplementary to an act to provide for and regulate street railroad companies," on any street or streets where council may deem such extension beneficial to the public; and when any such extension is made, the charge for carrying passengers on any street railroad so extended, and its connections made with any other road or roads, by consolidation under existing laws, shall not be increased by reason of such extension or consolidation. [66 v. 140, § 1.]

34. In lines 14 and 15, section 2, chapter 1, division 9, p. 352:

Strike out "one-half of one mill," and insert "two mills."

35. To strike out clause 2, section 3, chapter 1, division 9, p. 352, and insert:

2. For sanitary and street-cleaning purposes, and for street improvements and repairs. And in cities of the second grade of the first class, such part of the funds raised for any of these purposes as the council deems necessary, shall, upon the recommendation of the board of improvements, be appropriated monthly for keeping in repair the paved streets of such cities.

36. To add to section 1, chapter 2, division 9, p. 361:

"And no such loan in anticipation of revenue shall be made on and after the first day of July, A. D. 1879."

37. In lines 9 and 10, section 3, chapter 2, division 9, p. 362:

Strike out "for the current fiscal year."

38. To add after section 10, chapter 2, division 9, p. 364:

SEC. 11. Any money belonging to the corporation and not specifically appropriated by law, shall be used for the purpose of reducing the funded debt of the corporation, if there be one—and if there be none, it shall be credited to the general improvement fund, except in cities of the first grade of the first class it shall be credited to the sinking fund.

39. To add after section 16, chapter 3, division 9, p. 368:

SEC. 17. The trustees may investigate any branch or department of the city government, and any agency or depository, or trusteeship involving transactions affecting the sinking fund; and they may send for persons and papers, issue subpœnas, and enforce the attendance of witnesses, and examine the same under oath; and, if in the course of such investigation, the testimony of any witness whose personal attendance cannot be procured be desired, his deposition may be taken, and used in the investigation. They may employ, at a fair compensation, competent accountants to examine any books, papers, contracts, or other writings connected with any investigation. They shall report the result of all investigations to the mayor and city solicitor, and take such other action as they deem proper to protect the interests of the city. Witnesses, constables, and other officers in attendance at the investigations conducted under the provisions of this section shall be entitled to the fees and mileage prescribed by law for similar services; and all costs incurred under the provisions of this section shall be paid out of the sinking fund, and be reimbursed to the sinking out of the general fund of the city not otherwise appropriated.

SEC. 18. The trustees, on the approval of the board of public works, may, on giving not less than ten days' notice, by publication in two or more daily papers of general circulation in such city, receive bids for the lease of any wharf property, or other property not used for municipal purposes belonging to the city, except the public landing, on such terms and for such time as they deem for the best interests of the city, with power to reject any or all bids; and they may, within twenty days succeeding the expiration of such publication, lease any part of such property, at a rate not less than the maximum offered by any bid, without a re-advertisement. The board may also, in order to prevent a loss of revenue during such advertisements and negotiations. rent such property, from month to month, during such time.

G. M. SALTZGABER, IRVINE DUNGAN,
THEO. MARSH, R. G. RICHARDS,
J. R. JOHNSTON, LYMAN J. JACKSON,
W. T. FORREST.

Mr. Saltzgaber moved that said report be laid upon the table, and ordered to be printed in advance of other matter.

Which was agreed to.

Mr. Richards submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled the following bill:

S. B. No. 136—Mr. Richards—For the relief of Robert Cochran.

IRVINE DUNGAN, R. G. RICHARDS,
J. W. WASHBURN, WM. JESSUP,
F. M. CARTER, A. D. MARSH.

Mr. Carson submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred H. B. No. 372—For the relief of W. J. Jacobs—

Having had the same under consideration, report it back and recommend its passage.

J. M. CARSON, THOS. M. BEER,
D. WAGENER, G. A. GROVE,
C. F. KRIMMEL, H. C. LORD,
R. G. RICHARDS.

Said bill was ordered to be engrossed and read the third time tomorrow.

Mr. Dungan submitted the following report:

The standing committee on Corporations other than Municipal, to whom was referred S. B. No. 186—For the relief of W. J. Jacobs and sureties, of Pleasant township, Brown county, Ohio—

Having had the same under consideration, report it back, and recommend its passage.

IRVINE DUNGAN, GEO. P. TYLER,
J. M. ARMSTRONG, LYMAN J. JACKSON,
R. G. RICHARDS.

Said bill was ordered to be engrossed and read the third time tomorrow.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

S. B. No. 171—Mr. Richards—To amend section 9 of an act entitled "An act supplementary to an act entitled an act to provide for the creation and regulation of incorporated companies in the State of Ohio," passed May 1, 1852; passed April 15, 1867, (S. & S. 186); as amended February 25, 1869, (O. L., v. 66, p. 11); as amended April 20, 1874, (O. L., v. 71, p. 161); as amended April 11, 1876, (O. L., v. 73, p. 188); as amended March 12, 1877, (O. L., v. 74, p. 38); as amended March 28, 1878, (O. L., vol. 75).

S. B. No. 172—Mr. Carlisle—To authorize the commissioners of Athens county, Ohio, to build a court house.

H. B. No. 189—Mr. Reed of Ross—To enable the commissioners of Ross county to purchase toll roads and convert the same into free roads.

H. B. No. 298—Mr. Reed of Trumbull—In regard to the boundary monuments on the line between the states of Ohio and Pennsylvania.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

On motion of Mr. Parker, the Senate adjourned until to-morrow morning at 9 o'clock.

Attest: ALLEN O. MYERS, *Clerk.*

SATURDAY, MAY 4, 1878—9 o'clock A. M.

The Senate met pursuant to adjournment.

The Journal was read and approved.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

S. B. No. 136—Mr. Richards—For the relief of Robert Corchran.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bill.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 503—Mr. Clough—To legalize certain bonds issued by the commissioners of Butler county and to authorize the payment thereof.

Sub. for H. B. No. 385—Mr. Mackey—To provide for the transcribing of certain records of Trumbull and Columbiana counties into the records of Mahoning county.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

Bills were read the second time and referred as follows:

H. B. No. 405—Mr. Danford—To authorize the commissioners of Belmont county to pay to Samuel D. Talbot the sum of sixty dollars for pursuit and arrest of a horse theif.

To committee on Judiciary.

Sub. for H. B. No. 439—Mr. Oglevee—To create a sub-school district in Madison township, Clark county, Ohio.

To committee on Common Schools and School Lands.

H. B. No. 530—Mr. Van Cleaf—To amend an act of April 12, 1877, entitled "An act to amend an act to authorize trustees of townships to appropriate lands for cemetery purposes," passed and took effect April 3, 1867, (74 v., 87).

To committee on Corporations other than Municipal.

H. B. No. 526—Mr. Bull—For the relief of Joseph Stofer.

To committee on Finance.

H. B. No. 111—Mr. Covert—To provide for courts of conciliation, with respect to contracts and controversies concerning the productive industries of the State of Ohio, and to prevent strikes.

To committee on Judiciary.

H. B. No. 447—Mr. Groschner—To define certain water courses.

To committee on Agriculture.

H. B. No. 428—Mr. Luccock—To require the commissioners of the counties of Butler, Warren, Clinton, Clermont and Fayette to pay a local bounty.

To committee on Claims.

H. B. No. 518—Mr. Seifert—To authorize the city of Lancaster, Ohio, to issue bonds to purchase cemetery grounds.

To committee on Municipal Corporations.

S. B. No. 187—Mr. Lord—To authorize counties having a city of the first class with a population exceeding 200,000 inhabitants, to issue bonds for the payment of avenues in certain cases.

To committee on Municipal Corporations.

Mr. Kelley moved that H. B. No. 349 be recommitted to the committee on Municipal Corporations.

Which was agreed to.

S. B. No. 158—Mr. Steedman—To authorize the appointing of an assistant prosecuting attorney in certain counties.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 21, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Kelley, Lord, Marsh, McDonald, Richards, Tyler, Wagener and Williams—21.

Mr. Owens voted in the negative—1.

So the bill passed. The title was agreed to.

H. B. No. 297—Mr. Crosson—To authorize the surviving trustees of the Christian church of Neville, Clermont county, to sell real estate belonging to said church organization:

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Jackson of Perry, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Seitz, Tyler, Wagener and Williams—23.

So the bill was passed. The title was agreed to.

H. B. No. 437—Mr. Achauer—Authorizing the county commissioners of Muskingum county, in the State of Ohio, to levy an additional poor tax.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 25, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Saltzgaber, Seitz, Tyler, Wagener and Williams—25.

So the bill was passed. The title was agreed to.

H. B. No. 390—Mr. Swaim—To authorize the county commissioners of Vinton county to make an additional levy for county purposes.

Was read the third time.

The question being, "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 24, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Saltzgaber, Seitz, Tyler, Wagener and Williams—24.

So the bill was passed. The title was agreed to.

H. B. No. 409—Mr. Norton—For the relief of Peter Weikert.

Was read the third time.

Mr. Seitz moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out in line 17 section 1 the words "two-thirds" and insert therefor the word "majority."

On which motion, the yeas and nays were demanded, taken and resulted—yeas 8, nays 12, as follows:

Those who voted in the affirmative were—

Messrs. Carlisle, Forrest, Howland, Lord, McDonald, Parker, Seitz and Tyler—8.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Beer, Benson, Curtiss, Dungan, Fisher, Irvine, Owens, Richards, Saltzgaber and Wagener,—12.

So the motion was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Perry, Lord, McDonald, Parker, Richards, Saltzgaber, Seitz, Tyler, Wagener, and Williams—22.

Mr. Owens voted in the negative—1

So the bill was passed. The title was agreed to.

H. B. No. 431—Mr. Fenton—To authorize the village of Archbold, in Fulton county, Ohio, to transfer certain funds.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Perry, Lord, McDonald, Owens, Parker, Richards, Saltzgaber, Seitz, Tyler, Wagener and Williams—22.

So the bill was passed. The title was agreed to.

H. B. No. 483—Mr. Ellis—To authorize the commissioners of Ottawa county to borrow money, to pay indebtedness and loss caused by the failure of the City Bank of Toledo.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 22, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Perry, Lord, McDonald, Owens, Parker, Sabine, Saltzgaber, Seitz, Tyler, Wagener and Williams—22.

So the bill was passed. The title was agreed to.

H. B. No. 474—Mr. Haley—To authorize the commissioners of Hardin county to increase the levy for county purposes, and to transfer certain funds therein named.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 24, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Perry, Kelley, Lord, McDonald, Owens, Parker, Sabine, Saltzgaber, Seitz, Tyler, Wagener and Williams—24.

So the bill was passed. The title was agreed to.

H. B. No. 470—Mr. Townsend—To authorize the trustees of Athens township, Athens county, Ohio, to transfer money from the local bounty fund of said township to the road fund.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 21, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Jackson of Perry, Kelley, Lord, Owens, Parker, Sabine, Saltzgaber, Seitz, Tyler, Wagener and Williams—21.

So the bill was passed. The title was agreed to.

H. B. No. 66—Mr. Bloom—To authorize the transfer of funds in certain cases.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Kelley, Lord, McDonald, Owens, Parker, Sabine, Saltzgaber, Seitz, Tyler, Wagener, and Williams—23.

So the bill passed. The title was agreed to.

H. B. No. 445—Mr. Dunham—To authorize the council of the incor-

porated village of Clyde to issue bonds to purchase steam fire engine and fire apparatus.

Was read the third time.

Mr. Parker moved that said bill be laid upon the table.

Which was agreed to.

H. B. No. 510—Mr. Poe—To authorize the transfer of certain funds in the village of Brooklyn to other funds in said village.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 24, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Perry, Kelley, Lord, McDonald, Owens, Parker, Sabine, Saltzgaber, Seitz, Tyler, Wagener and Williams—24.

So the bill was passed. The title was agreed to.

H. B. No. 449—Mr. Levering—To authorize the creation of a special school district in Canaan township Morrow county.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 15, nays 4, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Curtiss, Fisher, Forrest, Lord, McDonald, Owens, Sabine, Saltzgaber, Tyler, Wagener and Williams—15.

Those who voted in the negative were-

Messrs. Howland, Irvine, Parker and Seitz—4.

So the bill, not having received a constitutional majority, was lost.

H. B. No. 280—Mr. Elliott—To retain a special school district in Brown township, Delaware county, O.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 20, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Fisher, Forrest, Irvine, Kelley, Lord, McDonald, Owens, Parker, Sabine, Saltzgaber, Seitz, Tyler, Wagener and Williams—20.

Mr. Howland voted in the negative—1.

So the bill was passed. The title was agreed to.

H. B. No. 354—Mr. Dodds—To create a special school district in Sycamore township, Hamilton county.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 16, nays 5, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Curtiss, Fisher, Forrest, Grove, Jackson of Perry, Lord, Owens, Sabine, Saltzgaber, Tyler, Wagener and Williams—16.

Messrs. Irvine, Howland, Parker, Richards and Seitz voted in the negative—5.

So the bill, having failed to receive a constitutional majority, was lost.

Mr. Fisher submitted the following report:

The committee on Revision has examined, and found correctly engrossed H. B. No. 403, as amended by the Senate.

J. C. FISHER, G. M. SALTZGABER,
J. M. CARSON.

H. B. No. 380—Mr. Loder—To create a special school district in Delhi township, Hamilton county, O.

Was read the third time.

Mr. Lord moved that said bill be laid upon the table.

Which was agreed to.

S. B. No. 173—Mr. Johnston—Supplementary to an act entitled an act to provide for the settlement of the accounts of trustees, passed April 2, 1873, (O. L., v. 70, page 100.)

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 22, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Howland, Irvine, Jackson of Perry, Kelley, Lord, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Tyler and Wagener—22.

Mr. Seitz voted in the negative—1.

So the bill was passed. The title was agreed to.

H. B. No. 416—Mr. Alexander—To authorize the city council of Bellaire, Ohio, to appropriate and pay the amount assumed by said city for purchase of site for State tobacco warehouse.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 23, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Perry, Kelley, Marsh, Owens, Parker, Sabine, Saltzgaber, Seitz, Tyler, Wagener and Williams—23.

So the bill was passed. The title was agreed to.

H. B. No. 391—Mr. Swaim—To authorize the trustees of Richland township, Vinton county, to levy an additional tax for township purposes.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Perry, Kelley, Lord, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Tyler, Wagener, and Williams—24.

So the bill was passed. The title was agreed to.

S. B. No. 179—Mr. Saltzgaber—For relief of Davis Johnston.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 25, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Perry, Kelley, Marsh,

McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Tyler, Wagener and Williams—25.

So the bill was passed. The title was agreed to.

H. B. No. 360—Mr. Dempcy—Supplemental to an act entitled "an act to authorize the trustees of Brecksville township, Cuyahoga county, to levy a tax, for certain purposes mentioned therein, passed May 5, 1877.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 25, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Perry, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Tyler, Wagener and Williams—25.

So the bill was passed. The title was agreed to.

H. B. No. 213—Mr. Hayman—To amend an act entitled an act supplementary to the act regulating the mode of administering assignments in trust for the benefit of creditors, passed April 6, 1867; passed March 6, 1869, (vol. 58, page 26).

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Lord, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Tyler, Wagener and Williams—22.

Messrs. Beebe and Howland voted in the negative—2.

So the bill was passed. The title was agreed to.

H. B. No. 472—Mr. Wolf—To divide Falls township, Hocking county, into two election precincts.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 21, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Lord, Marsh, McDonald, Owens, Parker, Sabine, Saltzgaber, Tyler, Wagener and Williams—21.

Mr. Richards voted in the negative.—1.

So the bill was passed. The title was agreed to.

H. B. No. 290—Mr. Achauer—Supplementary to an act entitled "an act to provide for the organization and government of municipal corporations," passed May 7, 1869, (66 Ohio Laws, page 149, etc.)

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 23, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Kelley, Lord, Marsh, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Tyler, Wagener and Williams—23.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following substitute for Joint Resolution No. 1:

Sub. for J. R. No. 1—Joint Committee—*Be it resolved by the General Assembly of the State of Ohio*, That the Sixty-third General Assembly do adjourn on Monday, May 13, 1878, at 8:30 o'clock a. m., to meet again on Tuesday, January 7, 1879, at 3 o'clock p. m.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Fisher moved that the Senate concur in the House amendment to said Joint Resolution No. 1.

Mr. Owens moved that said motion be laid upon the table.

On which motion the yeas and nays were demanded, taken, and resulted, yeas 10, nays 18, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Perry, Kelley, Owens, Richards and Sabine—10.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Lord, Marsh, McDonald, Parker, Saltzgaber, Seitz, Tyler, Wagener and Williams—18.

So the motion was disagreed to.

The question being on concurring in said House substitute, the yeas and nays were taken, and resulted—yeas 20, nays 6, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Kelley, Lord, Marsh, McDonald, Parker, Saltzgaber, Seitz, Tyler, Wagener and Williams—20

Those who voted in the negative were—

Messrs. Beer, Curtiss, Jackson of Perry, Owens, Richards and Sabine—6.

So the Senate concurred in said House substitute for Joint Resolution No. 1.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 158—Mr. Crosley—To amend section 9 of an act entitled "An act to authorize the board of county commissioners to lay out and establish free turnpike roads, and to repeal certain acts therein named," passed March 29, 1875, (Sayler's statutes, vol. 4, p. 3460.)

H. B. No. 540—Mr. Parker--For the relief of Geo. M. Woodward.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested:

H. J. R. No. 51—Mr. Van Cleaf—Providing for distribution of the debates of the constitutional convention.

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Owens, said joint resolution was referred to the committee on Public Printing.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 513—Mr. Johnson—To authorize the commissioners of Tuscarawas county to make an additional levy for county purposes.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 7—Mr. Forrest—To authorize certain courts to appoint stenographers.

With the following amendments, in which the concurrence of the Senate is requested:

Insert after the word "be," in section 2, line 9, the words "not exceeding."

In line 3, section 1, strike out the words "two hundred" and insert "thirty."

In line 4, section 1, strike out the word "and" after figures "1870," and all of line 5, except the last word "to."

In line 10, section 1, insert at the end thereof "and where there now is, or hereafter may be, a superior court in such county, the judges of such court and of the court of common pleas in such county, shall jointly make the appointments herein provided for."

In line 23, section 2, strike out "fifteen" and insert "eight."

Attest: L. A. BRUNNER, *Clerk.*

Mr. Forrest moved that the Senate concur in said House amendments.

On which motion, the yeas and nays were taken and resulted—yeas 18, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Perry, Lord, Marsh, McDonald, Owens, Parker, Richards, Saltzgaber, Tyler and Williams—18.

Mr. Beer voted in the negative—1.

So the motion was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 323—Mr. Worley—To amend section 93 of an act entitled "An act for the reorganization and maintenace of common schools," passed May 1, 1873.

H. B. No. 485—Mr. Jessup—To authorize the trustees of Miami township, Hamilton county, to transfer certain funds therein named.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

H. B. No. 534—Mr. Carpenter—For the relief of Horace S. Horten.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Forrest, Grove, Howland, Jackson of Perry, Kelley, Lord, Marsh, McDonald, Parker, Richards, Sabine, Saltzgaber, Seitz, Tyler and Williams—23.

So the bill was passed. The title was agreed to.

H. B. No. 457—Mr. Clough—To authorize private cemetery associations brought within the corporate limits of incorporated villages to become incorporated.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Jackson of Perry, Kelley, Lord, Marsh, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Tyler and Williams—23.

So the bill was passed. The title was agreed to.

H. B. No. 46—Mr. Achauer—Supplementary to an act entitled "An act for the reorganization and maintenance of common schools," passed May 1, 1873, (O. L., vol. 70, p. 195.)

Was read the third time.

Mr. Owens moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out between lines 4 and 5, in section 1, the words "or that may hereafter have."

Which was agreed to, and Mr. Owens was appointed such committee.

Mr. Owens, on leave, submitted the following report:

The select committee of one, to whom was referred H. B. No. 46, with instructions to amend, reports the same back amended as instructed.

JAS. W. OWENS.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 21, nays 3, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dun-

gan, Fisher, Forrest, Grove, Jackson of Perry, Lord, Marsh, McDonald, Owens, Richards, Saltzgaber, Seitz, Tyler and Williams—21.

Those who voted in the negative were—

Messrs. Howland, Kelley and Sabine—3.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of—

S. B. No. 49—Mr. Sherrick.

With the following amendments in which the concurrence of the Senate is requested:

1. Chapter 2, section 2, page 8:

Strike out "except administrators and executors who shall list the property of the estate as of the city, village, or township, where the deceased last dwelt, provided such place of residence was within this State."

2. Chapter 2, section 3, in line 5:

Strike out "merchandise."

3. Chapter 2, section 3:

Strike out all after "otherwise."

4. Chapter 2, section 49, line 11:

After "treasurer," strike out down to and including "made;" also line 19, after "persons," strike out "upon."

Line 20, after "return," strike out "which verified statement shall be placed on file by the county auditor, if he so desire."

Line 22, after the word "duplicate," strike all down to and including "board," where it occurs the second time, and insert "that he may have an opportunity of showing that his statement or return of the assessor was correct."

Also insert in line 36, after "services," as follows: "and if not paid, may be collected before any justice of the peace, of the proper county, by suit, in the name of the county commissioners."

5. Chapter 4, section 2, page 47:

Strike out section 2, and insert—

"SEC. 2. In each city of the second and third grade of the first-class, and each city of the second-class, there shall be an annual board for the equalization of the values of the real and personal property, moneys and credits in such city, to be composed of the county auditor and six citizens of such city appointed by the council thereof; said board shall meet at the office of the county auditor on the fourth Monday of May, and shall close their session on or before the fourth Monday of June, then next following.

The board shall have power to equalize the value of the real and personal property, moneys and credits within such city, and shall be governed by the rules, provisions and limitations prescribed in the next preceding section for annual county boards. The members shall each be entitled to receive three dollars for each day necessarily employed in the performance of their duties, to be paid out of the county treasury; and in each city of the first grade of the first-class there shall be a like annual board, with the same powers and duties, to be composed of the county auditor and six citizens of such city, to be appointed by the common council, the first appointments being of two for one year, two for two years, and two for three years, and thereafter annually two shall be

appointed for three years, and all vacancies shall be filled for the unexpired terms; said board shall meet at the office of the county auditor on the fourth Monday of May, and close their session on or before the second Monday of July; and it may appoint all necessary clerks, not exceeding six; each member, except the auditor, shall receive five dollars per day, and each clerk three dollars per day for their services for the time actually employed in the discharge thereof, to be paid out of the county treasury.

6. Chapter 4, section 5, line 2, page 48:

Strike out "Secretary of State."

7. Chapter 5, section 8, line 2, page 61:

Strike out "June," and insert "May."

8. Chapter 5, section 10, line 8, page 62:

Strike out "five" and insert "two."

9. Chapter 5, section 10, line 9, page 62:

After "township," insert "which may be discharged in labor, as hereinafter provided, and in addition thereto not exceeding one mill on the dollar for the same purpose, to be collected in money."

10. Chapter 5, section 10, line 20:

Strike out "June," and insert "May."

Chapter 5, section 10, next to last line:

Strike out after "collected," to end of section, and insert "in the December installment."

11. Chapter 5, section 11, second line from bottom of page 63:

Strike out "fifteenth day of June of the succeeding year," and insert "the twenty-fifth day of September of the year in which levied."

13. Chapter 5, section 11, eighth line from top of page 64, after "collected," "in the December installment."

14. Chapter 5, section 11, line 29:

Strike out "between the first day of August and the fifteenth day of June of the following year," and insert "before the fifteenth day of September of the year in which levied."

15. Chapter 7, section 2, line 5:

Strike out "ten," and insert "five."

16. Chapter 7, section 2, line 7:

Strike out "fifty," and insert "twenty-five."

17. Chapter 7, section 2, line 9:

Strike out "thirty," and insert "twenty."

18. Chapter 6, section 19, line 5, page 74:

Strike out after "for," and add the following: "and any attorney fees or other expenses properly incurred in this behalf."

19. Strike out section 41, chapter 2, page 28, and insert the following:

"Every person, company, or corporation, owning, operating or constructing a railroad in this State, shall return sworn lists, or schedules of the taxable property of such railroad, as hereinafter provided; such property shall be assessed with reference to amount, kind and value, on the day preceding the second Monday of April of the year in which it is listed.

They shall immediately after the day preceding the second Monday of April, annually, and at the same time in each year thereafter, make out and file with the president of the board of assessors and appraisers, a statement, or schedule, showing the property held for right of way, and the length of the main, and all side and second tracts and turnouts in each county in which the railroad is located; showing the amount in each township, independent school district, or municipal corporation,

and describing each tract of land other than a city, (or) town lot through which the road may run, giving the width and length of the strips of land held in each tract, and the number of acres thereof. They shall also state the value of improvements and stations located on the right of way. New companies shall make such statement next April after the location of their roads. When such statements have once been made to the county auditor, who is president of the board of assessors and appraisers, it shall not be necessary to report the description, as hereinafter required, unless so directed by the board of assessors and appraisers; but the company shall, during the month of April, annually report the value of such property by the description set forth in the next section of this act, and note all additions or changes in such right of way as shall have occurred.

Such right of way, main line, and second line shall be held for the purpose of taxation, and denominated as "railroad track," and shall be so listed and valued. The value of the "railroad track" shall be listed and taxed in the several counties, townships, independent school districts, municipal corporation, in proportion that the length of the main track in such county, township, independent school district or municipal corporation be as to the whole length of the road in this State. The value of all side tracks and all turnouts, and all station houses, depots, machine shops, or other buildings belonging to the road, shall be taxed in the county, township, independent school district, or corporation in which the same is located.

The movable property belonging to a railroad company shall be held to be personal property, and denominated, for the purpose of taxation, "rolling stock." Every person, company or corporation, owning, constructing or operating a railroad in this State, shall, in the month of April, immediately after the day preceding the second Monday of April, annually return a list or schedule, which shall contain a correct detailed inventory of all the rolling stock belonging to such company, which shall distinctly set forth the number of locomotives of all classes, passenger cars of all classes, sleeping and dining cars, express cars, baggage cars, horse cars, cattle cars, coal cars, platform cars, wrecking cars, pay cars, hand cars, and all other kind of cars.

The rolling stock shall be listed and taxed in the several counties, townships, independent school districts, and municipal corporations in the proportion that the main track used or operated in such county, township, independent school district or municipal corporation bears to the length of the main track used or operated in such county, township, independent school district, municipal corporation bears to the whole length of the road used or operated by such person, company or corporation, whether owned or leased by him or them, in whole or in part. Said list, or schedule, shall set forth the number of miles of main track on which said rolling stock is used in the State of Ohio, and the number of miles of main track on which said rolling stock is used elsewhere.

The tools and materials for repairs, and all other personal property of any railroad company shall be assessed and apportioned by the board of assessors and appraisers in the same manner as the rolling stock named in section six of this act.

At the same time the list, or schedules, heretofore named, are required to be returned, the person, company or corporation running, operating or constructing any railroad in this State, shall also return a sworn statement, or schedule, showing:

1. The amount of capital stock authorized, and the number of shares into which such capital (stock) is divided.
2. The amount of capital stock paid up.
3. The market value, or if no market value, then the actual value of the share of stock.
4. The total amount of all indebtedness, except for current expenses for operating the road.

It shall be the duty of the Auditor of State to furnish all necessary forms, blanks, and such instructions as he may deem right and proper for the several railroads to make the required statement for taxation.

It shall be the duty of each board of assessors and appraisers to meet, annually, in the month of May, in the present and succeeding year, at such times as the president thereof may appoint; and if no meeting is appointed by him before the second Tuesday in May, the several county auditors shall meet on that day in the place where the proper railroad for which said auditors constitute the board, as aforesaid, has its principal office, or in the principal city or village upon the line of such road, as the case may be, and shall proceed to make the assessments and distributions to the several counties as is named in the foregoing act. Such board shall have power to require from the president, secretary, treasurer, receiver, and principal accounting officer of such road, detailed statements, under oath, of all the items and particulars constituting such property, moneys and credits, and the value thereof, and may examine the books and papers of such road, and any or all of its officers, receivers, servants or agents, under oath, touching any matter relating to the same. Any county auditor present at such meeting is authorized and empowered to administer such oaths. It shall be the duty of said board of assessors and appraisers to report, annually, in the month of June, in each year, to the Auditor of State, the amount assessed upon each railroad company, specifying the total sum and amount distributed to each county, which shall be, by the Auditor of State, communicated to the General Assembly, with his annual report, in tabular form.

20. Chapter 4, section 15, page 53:

Strike out all of item 4 and insert "they may, if in their opinion, the same should be done, increase or reduce the aggregate value of the real property of the State, as returned by the county auditor, not exceeding five per cent, which increase or reduction shall apply equally, pro-rata, to each county, after a complete equalization of all the counties."

21. Chapter 3, section 14, p. 43:

Insert "and houses" after "school houses."

22. Chapter 2, section 14, line 16, page 17:

Strike out the word "second" and insert the word "third."

23. In chapter 2, section 14, line 16, page 17:

Strike out the word "second" and insert the word "third."

24. Last line of section 48, chapter 2, page 32:

After the word "tax-list" add the following, "and the inquiry and corrections provided for in this and the next section may go as far back as the same can be traced, not exceeding the four years next prior to the year in which the inquiries and corrections are made, but as to former years, no penalty shall be added, and only simple taxes shall be claimed."

25. Section 6, in chapter 5, pages 60 and 61:

Amend as follows: in line 11 after the word "amend" insert the words "spring or."

26. Also, in same section and chapter, line 40:

27. In section 7, chapter 6:

Amend as follows: in line 5, strike out the word "ten" and insert the word "fifteen."

28. In section 14, chapter 5, title 3, part 1, page 65:

Strike out the words "fifty dollars" and insert the words "seventy-five dollars."

29. At the end of section 4, page 38, chapter 5, part 1:

Insert the following: "it shall be the duty of the county commissioners, on or before their March session, in the year 1879, and every tenth year thereafter, to advertise for four consecutive weeks, in one or more newspapers of general circulation in the county, for sealed proposals to construct the necessary maps and plats to enable the several district assessors in the county to correctly re-appraise all real estate; and such advertisement shall particularly specify the extent and character of the work to be done; each bid shall be accompanied by a good and sufficient bond of not less than $1,000 in amount, to become due and payable in case the aforesaid bidder shall fail or refuse to enter into contract in accordance with the advertised proposals, in case the same shall be accepted. The county commissioners shall open the bids on the day named in the advertisement, and shall, within three days thereafter, award the contract to the lowest and best bidder, who shall immediately give a good and sufficient bond, with two or more sureties, in an amount of not less than $2,000, or more than $10,000, as shall be required by the aforesaid commissioners, conditioned on the prompt, faithful and accurate performance of the work required to be done; but nothing in the foregoing shall be construed to prevent the auditor of the county from exercising full supervision over the work of making said plats and maps.

On the completion of any town, township or district, the work shall be paid for out of the county treasury on the warrant of the county auditor, after the same shall have been duly accepted and approved by the board of county commissioners, and no bill shall be allowed until the auditor and commissioners are satisfied that the labor has been performed in accordance with the contract on file with the county auditor.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Fisher moved that the consideration of said amendments be made the special order of the hour for 10½ o'clock a. m. on Monday next.

Which was agreed to.

S. B. No. 138—Mr. Forrest—For the better protection of lives and property against accidents occasioned by steam, and to prohibit unqualified persons from managing or controlling stationary steam boilers, engines and apparatus.

Was read the third time.

Mr. Forrest moved that said bill be laid upon the table.

Which was agreed to.

H. B. No. 372—Mr. Parker—For the relief of W. H. Jacobs.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Perry, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Tyler and Williams —23.

So the bill was passed. The title was agreed to.

S. B. No. 186—Mr. Tyler—For the relief of W. J. Jacobs and sureties, of Pleasant township, Brown county, Ohio.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 22, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Perry, Kelley, Lord, Marsh, McDonald, Richards, Sabine, Saltzgaber, Seitz and Tyler—22.

So the bill passed. The title was agreed to.

Mr. Jackson of Perry submitted the following report:

The standing committee on Federal Relations, to whom was referred H. B. No. 399—Mr. Bull—To establish a voting precinct in the townships of Hanover and Green, in the county of Ashland, Ohio, in which the incorporated village of Loudonville is the boundary of said asked for precinct and is situate therein, and all that portion of section 35, and all of section 36 not now included in said corporate limits, shall be a part of said precinct, for election purposes only—

Having had the same under consideration, report it back, and recommend its passage.

LYMAN J. JACKSON, C. S. PARKER,
J. C. FISHER, W. P. HOWLAND,
LINDSEY KELLEY.

Said bill was ordered to be laid upon the table.

Mr. Williams submitted the following report:

The standing committee on Sanitary Laws and Regulations, to whom was referred S. B. No. 139—To allow the qualified electors of incorporated villages to vote for or against requiring trustees or council of incorporated villages to regulate, restrain and prohibit ale, beer and porter houses or shops, and places of notorious and habitual resort for tippling and intemperance therein—

Having had the same under consideration, report it back, with the following amendment, and without further recommendation:

In section 1 line 2 strike out the words "twenty or more adult citizens," and insert the words "one-fourth in number of the electors, according to the last municipal election."

J. B. WILLIAMS, G. W. WILSON,
J. M. ARMSTRONG, D. D. BEEBE,
W. H. STOKES.

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time on Saturday of next week.

Mr. Forrest moved to reconsider the vote whereby H. B. No. 354 was lost upon its passage.

Which was agreed to.

Mr. Forrest moved that a message be sent to the House requesting the return of said H. B. No. 354.

Which was agreed to.

Mr. Jackson of Perry submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 347—To provide for a supply of water for fire and other purposes in certain cities of the second class—

Having had the same under consideration, report it back without recommendation.

THEO. MARSH, G. M. SALTZGABER,
R. G. RICHARDS, G. A. GROVE,
LYMAN J. JACKSON.

Said bill was ordered to be engrossed, and read the third time on Saturday next.

Mr. Benson submitted the following report:

The standing committee on Drains and Drainage, to whom was referred H. B. No. 396—To amend section 6 of an act entitled "An act to provide for the straightening, clearing out, widening, deepening, and otherwise improving certain ditches, drains and water-courses, in Wood county, Ohio," passed April 11, 1876, (O. L., v. 73, p. 303)—

Having had the same under consideration, report it back, and recommend its passage.

JOHN H. BENSON, JOHN IRVINE,
J. C. MCDONALD, THOS. M. BEER.

Said bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Jackson of Perry submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 514—To create a village school district in Anderson township, Hamilton county, Ohio—

Having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH, G. M. SALTZGABER,
G. A. GROVE, LYMAN J. JACKSON.

Said bill was ordered to be engrossed and read the third time on Tuesday next.

Mr. Saltzgaber submitted the following report:

The standing committee on Municipal Corporations, to whom was referred Substitute for H. B. No. 184—To amend an act entitled "An act to amend section 9 of an act entitled an act to amend sections 24, 29, 39, 40, 41, 42, 44, and 45 of an act entitled an act for the assessment and taxation of property in this State, and for levying taxes thereon, according to its true value in money, as amended April 7, 1863," passed and took effect May 8, 1868, and amended February 7, 1877, passed and took effect May 4, 1877—

Having had the same under consideration, report it back, and recommend its indefinite postponement, for the reason that its provisions have been acted on in the revision of the taxation laws.

G. M. SALTZGABER, R. G. RICHARDS,
THEO MARSH, LYMAN J. JACKSON.

The report of the committee was agreed to, and said bill was indefinitely postponed.

Mr. Benson submited the following report:

The standing committee on Drains and Drainage, to whom was referred S. B. No. 165—To cure defects in the establishment of ditches—

Having had the same under consideration, report it back, and recommend its passage.

JOHN H. BENSON, J. C. MCDONALD,
JOHN IRVINE, THOS. M. BEER.

Said bill was ordered to be engrossed and read the third time on Tuesday next.

On motion of Mr. Benson, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

MONDAY, MAY 6, 1878—10 o'clock A. M.

The Senate met pursuant to adjournment.

Prayer by Rev. Robt. G. Hutchins.

The Journal was read and approved.

Mr. Forrest moved to discharge the special order for half past ten o'clock (S. B. No. 49), with pending House amendments.

Which was agreed to.

Mr. Forrest moved to refer S. B. No. 49 with amendments, to a select committee of three.

Which was agreed to.

The President pro. tem. appointed Messrs. Forrest, Fisher and Richards as such committee.

Bills were read the second time and referred as follows:

H. B. No. 503—Mr. Clough—To legalize certain bonds issued by the commissioners of Butler county, and to authorize the payment thereof.

To committee on Finance.

Sub. for H. B. No. 385—Mr. Mackey—To provide for the transcription of certain records from the records of Trumbull and Columbiana counties into the records of Mahoning county.

To committee on Corporations other than Municipal.

H. B. No. 158—Mr. Crosley—To amend section 9 of an act entitled "An act to authorize the board of county commissioners to lay out and establish free turnpike roads, and to repeal certain acts therein named," passed March 29, 1875, (Sayler's statutes, vol. 4, p. 3460.)

To committee on Roads and Highways.

H. B. No. 540—Mr. Parker—For the relief of George W. Woodward.

To committee on Finance.

H. B. No. 513—Mr. Johnson—To authorize the commissioners of Tuscarawas county to make an additional levy for county purposes.

To committee of Finance.

H. B. No. 485—Mr. Jessup—To authorize the trustees of Miami township, Hamilton county, to transfer certain funds therein named.

To committee on Finance.

H. B. No. 323—Mr. Worley—To amend section 93 of an act entitled "An act for the reorganization and maintenance of common schools," passed May 1, 1873.

To committee on Common Schools and School Lands.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 422—Supplementary to the act entitled "An act for the relief of the poor, and to repeal certain acts therein named," (O. L., v. 73, p. 233.)—

Having had the same under consideration, report it back, and recommend its passage.

W. T. FORREST, J. R. JOHNSTON,
IRVINE DUNGAN, W. P. HOWLAND.

Said bill was ordered to be engrossed and read the third time on Saturday next.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 183—To amend section 2 of an act entitled "An act prescribing the rate of taxation for county, bridge, road, and township purposes, and to repeal certain acts therein named," passed April 19, 1877, (O. L., 74, p. 95)—

Having had the same under consideration, report it back and recommend its passage.

W. T. Forrest, J. R. Johnston,
W. P. Howland, Irvine Dungan.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Fisher submitted the following report:

The committee on Revision has examined, and found correctly engrossed, H. B. No. 46.

J. C. Fisher.

Mr. Richards asked and obtained leave of absence for Mr. Johnston, until Wednesday next.

Mr. Howland asked and obtained leave of absence for Mr. Jackson of Clinton, until to-morrow.

Mr. Curtiss demanded a call of the Senate.

Messrs. Armstrong, Carson, Dungan, Grove, Jackson of Perry, Joy, Krimmel, Lord, Saltzgaber, Sherrick, Stokes and Tyler were absent.

Mr. Forrest moved that further proceedings under the call be dispensed with.

Which was agreed to.

Mr. Marsh asked and obtained leave of absence for Mr. Lord, until to-morrow.

On motion of Mr. Forrest the Senate took a recess.

THREE O'CLOCK P. M.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives accedes to the request of the Senate, and herewith returns—

H. B. No. 354—Mr. Dodds—To create a special school district in Sycamore township, Hamilton county, Ohio.

Attest: L. A. Brunner, *Clerk.*

On motion of Mr. Benson said bill was laid upon the table.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to—

H. B. No. 409—Mr. Norton—For the relief of Peter Weikert.

Attest: L. A. Brunner, *Clerk.*

Mr. Richards submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled the following bills:

H. B. No. 431—To authorize the village of Archbold, Fulton county, Ohio, to transfer certain funds.

Sub. for H. B. No. 66—To authorize the transfer of funds in certain cases.

H. B. No. 390—To authorize the county commissioners of Vinton county to make an additional levy for county purposes.

H. B. No. 297—To authorize the surviving trustees of the Christian church of Neville, Clermont county, to sell real estate belonging to said church organization.

H. B. No. 437—Authorizing the county commissioners of Muskingum county, in the State of Ohio, to levy an additional tax.

R. G. Richards, F. M. Carter,
Wm. Jessup, E. S. Perkins,
J. W. Washburn, A. D. Marsh.

Mr. Richards submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled the following bills:

H. B. No. 322—Entitled "An act to amend the act entitled an act to amend the first section of the act entitled an act to amend sections 1, 2, 4, 5, 6 and 11 of an act to authorize the county commissioners to construct roads on petition of a majority of the land owners along and adjacent to the line of said road, and to repeal an act therein named," passed March 29, 1867; passed March 31, 1868. (Ohio Laws, volume 66, page 41; Swan & Sayler, 673.)—

H. B. No. 483—To authorize the commissioners of Ottawa county to borrow money and pay indebtedness and loss caused by the failure of the City Bank of Toledo.

H. B. No. 474—To authorize the commissioners of Hardin county to increase the levy for county purposes, and to transfer certain funds therein named.

R. G. Richards, E. S. Perkins,
J. W. Washburn, A. D. Marsh,
F. M. Carter.

Mr. Richards submitted the following report:

The joint committee on Enrollment have examined and found correctly enrolled the following bills and joint resolution:

H. B. No. 510—To authorize the transfer of certain funds in the village of Brooklyn to other funds in said village.

H. B. No. 490—To authorize the transfer of funds in the treasury of the incorporated village of Elyria, Lorain county—

H. B. No. 469—To authorize the trustees and board of education of Sheffield township, Lorain county, to build a town hall and school house jointly.

H. B. No. 470—To authorize the trustees of Athens township, Athens county, Ohio, to transfer money from the local bounty fund of said township to the road fund.

H. J. R. No. 47—Authorizing the Governor to execute a deed to John A. Mills, assignee of Peter Stoubs.

R. G. Richards, J. W. Washburn,
F. M. Carter, A. D. Marsh,
E. S. Perkins.

The select committee of three, to whom was referred S. B. No. 49, with the House amendments, report the same back to the Senate.

Mr. Richards moved that said bill and House amendments be referred to the committee of the whole Senate.

Which was agreed to.

On motion of Mr. Forrest, the Senate went into committee of the Whole, for the consideration of said S. B. No. 49.

After some time spent therein, reported the bill back with the following recommendations :

That the Senate agree to House amendments Nos. 2, 6, 7, 8, 10, 12, 14, 21, 24, 25 and 26.

And that the Senate disagree to House amendments Nos. 1, 3, 4, 9, 11, 13, 15, 16, 17, 18, 19, 20, 22, 23, 27, 28 and 29.

That House amendment No. 5 be concurred in, with the following amendment :

Insert after the word "filled," in line 25 of said amendment, the words "in like manner."

The question being on concurring in said House amendments Nos. 2, 6, 7, 8, 10, 12, 14, 21, 24, 25, 26 and 5 as amended—

The yeas and nays were taken and resulted—yeas 21, nays none, as follows :

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Fisher, Forrest, Howland, Irvine, Kelley, Lord, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Stokes, Tyler, Wagener and Williams—21.

So the Senate concurred in said amendments.

The question then being on concurring in said House amendments Nos. 1, 3, 4, 9, 11, 13, 15, 16, 17, 18, 19, 20, 22, 23, 27, 28 and 29—

The yeas and nays were taken and resulted—yeas none, nays 20, as follows :

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Beer, Fisher, Forrest, Howland, Irvine, Kelley, Lord, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Stokes, Tyler, Wagener and Williams—20.

So the Senate refused to concur in said amendments.

Mr. Richards submitted the following report :

The joint committee on Enrollment has examined and found correctly enrolled the following bill :

Substitute for H. B. No. 95—To authorize the commissioners of Brown county, Ohio, to levy a tax and issue county bonds to pay the bonds issued by the commissioners of said county for the construction of the Arnheim free turnpike, and interest and bonds of certain other roads in said county.

J. W. Washburn, E. S. Perkins,
F. M. Carter, R. G. Richards,
Duncan Dow.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bill has been introduced in the House of Representatives and read the first time :

H. B. No. 546—Mr. Clough—To allow the city council of Hamilton to enter into a contract for the furnishing of gas for the lighting of the streets, alleys and public buildings and places therein.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 547—Mr. Sextro—Supplementary to an act entitled "An act supplementary to the acts passed February 24, 1876, April 24, 1877, supplementary to the act relating to cities of the first class having a population exceeding 150,000 inhabitants," passed May 4, 1869, (O. L., v. 66, p. 80,) and to repeal section 9, and a portion of section 4 of said act, passed April 18, 1878.

H. B. No. 548—Mr. Van Cleaf—To amend section 3 of an act entitled "An act to reorganize the Reform School for Boys," passed March 21, 1878.

H. B. No. 549—Mr. Van Cleaf—For the punishment of persons throwing or shooting at railroad cars.

H. B. No. 550—Mr. Bull—To provide for recovering possession by the State of Ohio of property to which it is entitled.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills and joint resolution:

H. B. No. 522—Mr. Norton—Entitled "An act to amend the act entitled an act to amend the first section of the act entitled an act to amend sections 1, 2, 4, 5, 6 and 11 of an act to authorize the county commissioners to construct roads on petition of a majority of the land owners along and adjacent to the line of said road, and to repeal an act therein named," passed March 29, 1867; passed March 31, 1868, (O. L., v. 65, p. 41; S. & S., 678).

H. B. No. 483—Mr. Ellis—To authorize the commissioners of Ottawa county to borrow money to pay indebtedness and loss caused by the failure of the City Bank of Toledo.

H. B. No. 490—Mr. Herrick—To authorize the transfer of funds in the treasury of the incorporated village of Elyria, Lorain county.

H. J. R. No. 47—Mr. Hostetter—Authorizing the Governor to execute a deed to John A. Mills, assignee of Peter Stubbs.

Attest: L. A. BRUNNER, *Clerk.*

The President *pro tem.*, in presence of the Senate, signed said bills and joint resolution.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 544—Mr. Sawyer—To authorize the village of Minster, in the county of Auglaize, to issue bonds for the purpose therein named.

H. B. No. 504—Mr. Palmer—To amend an act entitled "An act to authorize the city of Cleveland to fund certain railroad stocks," passed April 28, 1862, (vol. 59, p. 126).

H. B. No. 522—Mr. Loder—To authorize a temporary loan for sewerage purposes.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 142—Mr. Howland—To amend section 10 of an act entitled "An act for the better security of head contractors, sub-contractors and material men," and to repeal certain acts therein named—

With the following amendments, in which the concurrence of the Senate is requested:

At the end of section 1, add:

"Provided, That if any lein has been taken to secure a claim about which there is a dispute, the party taking such lien shall within thirty days thereafter notify the owner of the property, or his agent, or attorney, that such a lien is in existence, and if he fails to do so within the time prescribed, then the lien so taken shall be null and void."

"Provided further, that the owner of any property upon which a lien has been taken to secure any mechanic, laborer, or material man, may notify in writing the owner of the lien, or his agent, or attorney, to commence suit thereon, and if he fails to commence the suit within sixty days after receiving such written notice, then the lien shall be null and void, but nothing herein contained shall prevent the claim from being collected as other claims are now collected by law."

Attest: L. A. BRUNNER, *Clerk.*

The question being on concurring in said amendments, the yeas and nays were taken and resulted—yeas 19, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Fisher, Forrest, Howland, Irvine, Kelley, Lord, Marsh, Owens, Richards, Sabine, Seitz, Stokes, Tyler, Wagener and Williams—19.

So the Senate concurred in said amendments.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 437—Mr. Achauer—Authorizing the county commissioners of Muskingum county, in the State of Ohio, to levy an additional poor tax.

H. B. No. 297—Mr. Crosson—To authorize the surviving trustees of the Christian church of Neville, Clermont county, to sell real estate belonging to said church organization.

H. B. No. 390—Mr. Swaim—To authorize t e county commissioners of Vinton county to make an additional levy for county purposes.

H. B. No. 431—Mr. Fenton—To authorize the village of Archbald, in Fulton county, Ohio, to transfer certain funds.

Attest: L. A. BRUNNER, *Clerk.*

The President *pro tem.*, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 66—Mr. Bloom—To authorize the transfer of funds in certain cases.

H. B. No. 474—Mr. Haley—To authorize the commissioners of Hardin county to increase the levy for county purposes and to transfer certain funds therein named.

H. B. No. 470—Mr. Townsend—To authorize the trustees of Athens township, Athens county, Ohio, to transfer money from the local bounty fund of said township to the road fund.

Sub. for H. B. No. 95—Mr. Parker—To authorize and require the commissioners of Brown county to construct a free turnpike from the terminus of the Mount Orab and Benton Free Pike to the terminus of the Fayetteville and Chasetown free turnpike road, and to pay the residue of the bonds issued by said commissioners on the Arnheim free turnpike, in excess of $3500 per mile.

Attest: L. A. BRUNNER, *Clerk.*

The President *pro tem.*, in presence of the Senate, signed said bills.

Mr. Fisher moved that H. B. No. 41 be taken from the table.

Which was agreed to.

Mr. Saltzgaber moved that when the Senate adjourns, it adjourn until 9 o'clock to-morrow morning.

Which was agreed to.

Mr. Fisher moved that said H. B. No. 41 be made the special order for 9½ o'clock to-morrow morning.

On which motion the yeas and nays were taken and resulted—yeas 15, nays 6, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Fisher, Forrest, Irvine, Lord, Marsh, McDonald, Owens, Saltzgaber, Seitz, Stokes, Tyler, Wagener and Williams—15.

Those who voted in the negative were—

Messrs. Beebe, Beer, Howland, Kelley, Richards and Sabine—6.

So the motion was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 469—Mr. Herrick—To authorize the trustees and the board of education of Sheffield township, Lorain county, to build a town hall and school house jointly—

H. B. No. 510—Mr. Poe—To authorize the transfer of certain funds in the village of Brooklyn, to other funds in said village.

Attest: L. A. BRUNNER, *Clerk.*

The President, *pro tem.*, in presence of the Senate, signed said bills.

Mr. Benson moved to reconsider the vote whereby H. B. No. 449 was lost.

Which was agreed to.

Mr. Howland moved that a message be sent to the House requesting the return of said bill.

Which was agreed to.

Mr. Beer moved that H. B. No. 399 be taken from the table.

Which was agreed to.

On motion of Mr. Beer, said bill was ordered to be engrossed and read the third time, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 19, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Fisher, Forrest, Howland, Irvine, Kelley, Lord, Marsh, McDonald, Owens, Sabine, Saltzgaber, Stokes, Tyler, Wagener and Williams—19.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bills:

S. B. No. 178—Mr. Curtiss—To authorize the directors of the union school district of Chagrin Falls, Cuyahoga county, to levy and assess an additional tax.

S. B. No. 148—Mr. Grove—Relating to offenses against chastity and morality.

With the following amendment, in which the concurrence of the Senate is requested:

In line 6, section 1, after the word "have" insert "unlawful."

Attest: L. A. BRUNNER, *Clerk.*

Mr. Fisher moved that S. B. No. 148 and House amendments be laid upon the table.

Which was agreed to.

On motion of Mr. Tyler, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

TUESDAY, MAY 7, 1878—9 O'CLOCK A. M.

The Se ate met pursuant to adjournment.

The Journal was read and approved.

Mr. Carlisle moved that a message be sent to the Secretary of State requesting the return of S. B. No. 172, that it might be correctly enrolled.

Which was agreed to.

Bills were read the second time and referred as follows:

H. B. No. 544—Mr. Sawyer—To authorize the village of Minster, in the county of Auglaize, to issue bonds for the purpose therein named.

To committee on Municipal Corporations.

H. B. No. 504—Mr. Palmer—To amend an act entitled "An act to authorize the city of Cleveland to fund certain railroad stocks," passed April 28, 1862. (v. 59, p. 126).

To the committee on Finance.

H. B. No. 522—Mr. Loder—To authorize a temporary loan for sewerage purpose.

To committee on Municipal Corporations.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House has agreed to Senate amendment to House amendment No. 5, to S. B. No. 49—Mr. Sherrick—And refuses to recede from House amendments Nos. 1, 3, 4, 9, 11, 13, 15, 16, 17, 18, 19, 20, 22, 23, 27, 28 and 29, and asks f r a committee of Conference.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Fisher moved that the request of the House be acceded to.

Which was agreed to.

The President appointed Messrs. Fisher, Sherrick and Curtiss as such Conference committee on part of the Senate.

S. B. No. 172 having been correctly enrolled, was ordered to be returned to the office of the Secretary of State.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has appointed Messrs. Washburn, Reed of Ross and Oglevee, as a Conference committee to consider the differences existing between the two Houses on—

S. B. No. 49—Mr. Sherrick—To amend and revise the statutes relating to taxation, to be known as title 13, part 1, of the act to revise and consolidate the statutes.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives accedes to the request of the Senate, and herewith returns—

H. B. No. 449—Mr. Levering—To authorize the creation of a special school district in Canaan township, Morrow county.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Benson moved that said bill be laid upon the table.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bill has been introduced in the House of Representatives and read the first time:

H. B. No. 551—Mr. Alexander—Prescribing the rate of state taxes, and to repel an act therein named.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 529—Mr. Bohl—To amend an act entitled "An act to provide for establishing an insurance department in the State of Ohio," passed March 12, 1872, as amended April 26, 1873.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

S. B. No. 176—Mr. Marsh—To further regulate street railroad companies.

Was read the third time.

Mr. Marsh moved that said bill be laid upon the table.

Which was agreed to.

S. B. No. 180—Mr. Joy—To abolish the office of railroad commissioner, and repealing the acts passed April 5, 1867, (S. & S., p. 76,) and the act of April 8, 1871, (O. L., p. 55).

Was read the third time.

Mr. Carlisle moved that said bill be laid upon the table.

Which was agreed to.

S. B. No. 165—Mr. Beer—To cure defects in the establishment of ditches. Was read the third time.

Mr. Saltzgaber moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out "shall" in line 20 and insert "may."

Which was agreed to, and Mr. Saltzgaber was appointed such committee.

Mr. Saltzgaber, on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No. 165, with instructions to amend, reports the same back amended as instructed.

G. M. SALTZGABER.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 21, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Jackson of Clinton, Kelley, Lord, Marsh, McDonald, Parker, Richards, Sabine, Saltzgaber, Seitz, Stokes, Tyler, Wagener and Williams—21.

So the bill was passed. The title was agreed to.

Mr. Fisher moved that the Senate proceed to the consideration of the special order of the hour, viz:

H. B. No. 41. (With amendments.) Mr. Booth—To amend, revise and consolidate the statutes relating to municipal corporations, to be known as title 12, part 1, of the act to revise and consolidate the general statutes of Ohio.

Which was agreed to.

Mr. Richards moved that the amendments reported by the select committee to said bill be considered seriatim.

Which was agreed to.

The question being on agreeing to amendment No. 1, the yeas and nays were demanded, taken and resulted—yeas 15, nays 6, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carson, Curtiss, Fisher, Forrest, Joy, Lord. Marsh, McDonald, Parker, Saltzgaber, Seitz, Tyler and Wagener—15.

Those who voted in the negative were—

Messrs. Beer, Howland, Jackson of Clinton, Kelley, Richards and Sabine—6.

So said amendment was agreed to.

The question being on agreeing to amendment No. 2, the yeas and nays were demanded, taken and resulted—yeas 12, nays 7, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Forrest, Marsh. McDonald, Seitz, Tyler, Wagener and Williams—12.

Those who voted in the negative were—

Messrs. Curtiss, Howland, Kelley, Lord, Richards, Sabine and Saltzgaber—7.

So said amendment was agreed to.

Amendment No. 3 was disagreed to.

The question being on agreeing to amendment No. 4, the yeas and nays were demanded, taken and resulted—yeas 15, nays 8, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carson, Forrest, Joy, Lord, Marsh, McDonald, Owens, Parker, Seitz, Stokes, Tyler, Wagener and Williams—15.

Those who voted in the negative were—

Messrs. Beer, Carlisle, Howland, Jackson of Clinton, Kelley, Richards, Sabine and Saltzgaber—8.

So said amendment was agreed to.

Amendment No. 5 was agreed to.

Amendment No. 6 was agreed to.

Amendment No. 7 was agreed to.

Amendment No. 8 was agreed to.

Amendment No. 9 was agreed to.

Amendment No. 10 was agreed to.

Amendment No. 11 was agreed to.

Amendment No. 12 was agreed to.

Amendment No. 13 was agreed to.

Amendment No. 14 was agreed to.

Amendment No. 15 was agreed to

Amendment No. 16 was agreed to.
Amendment No. 16½ was agreed to.
Amendment No. 17 was agreed to.
Amendment No. 18 was agreed to.
Amendment No. 19 was agreed to.
Amendment No. 20 was agreed to.
Amendment No. 21 was agreed to.
Amendment No. 22 was agreed to.
Amendment No. 23 was agreed to.
Amendment No. 24 was agreed to.
Amendment No. 25 was agreed to.
Amendment No. 26 was agreed to.

Mr. Saltzgaber moved to strike from amendment No. 27 the word "complete" from lines 8 and 9 of section 28.

Which was agreed to.

Mr. Howland moved to amend said amendment No. 27 by adding to the end thereof the following words: "to the extent of such defect."

On which motion, the yeas and nays were demanded, taken and resulted—yeas 7, nays 14, as follows:

Those who voted in the affirmative were—

Messrs. Carson, Howland, Jackson of Clinton, Lord, Richards, Sabine an Saltzgaber—7.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Dungan, Forrest, Irvine, Joy, Marsh, McDonald, Owens, Seitz, Stokes, Tyler and Wagener—14.

So the motion was disagreed to.

The question being on agreeing to amendment No. 27 as amended—

The yeas and nays were demanded, taken, and resulted—yeas 13, nays. 3, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Forrest, Joy, Marsh, Owens, Seitz, Stokes, Tyler and Wagener—13.

Those who voted in the negative were—

Messrs. Howland, Irvine and Sabine—3.

So said amendment was agreed to.
Amendment No. 28 was agreed to.
Amendment No. 29 was agreed to.
Amendment No. 30 was agreed to.
Amendment No. 31 was agreed to.
Amendment No. 32 was agreed to.
Amendment No. 33 was agreed to.
Amendment No. 34 was agreed to.
Amendment No. 35 was agreed to.

Mr. Forrest moved to amend amendment No. 36 by striking out the word "and" in the second line, and inserting therefor the word "or."

Which was agreed to.

Amendment No. 36, as amended, was then agreed to.
Amendment No. 37 was agreed to.
Amendment No. 38 was agreed to.
Amendment No. 39 was agreed to.

Mr. Owens moved to amend section 9, of chapter 5, division 4, so as to read as follows:

"SEC. 9. Appeals may be taken from the decision of the mayor in civil cases, in the same manner as from justices of the peace; provided,

that when a city or village extends into two or more counties, the appeal shall be taken to the court of common pleas of the county in which one or more of the defendants reside. A conviction under any ordinance of any municipal corporation may be reviewed by petition in error, in the same manner and in the same extent, as was heretofore permitted on writs of error and certiorari, and the judgment of affirmance or reversal may be reviewed in the same manner; but no such petition shall be filed except on leave of the court or a judge thereof, and such court or judge shall have power to suspend the sentence, as in criminal cases." (66 v. 170, § 125; 72 v. 42.)

Which was agreed to.

Mr. Carson moved to amend said bill by adding at the end of section 18, chapter 7, division 8, page 305: "And all vacancies in said board shall be filled by the council of such corporation or corporations, and the trustees of such township in joint session convened for that purpose."

Which was agreed to.

Mr. Owens moved to amend said bill as follows:

On page 228, after the word "corporation," in line 8 of section 3 add: "as belong to, and are owned by persons who have signed a petition asking the laying off, opening, extending, straightening or widening of such street, alley or public highway."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 5, nays 19, as follows:

Those who voted in the affirmative were—

Messrs. Benson, Owens, Parker, Seitz and Williams—5.

Those who voted in the negative were—

Messrs. Armstrong, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Howland, Irvine, Jackson of Clinton, Marsh, McDonald, Richards, Sabine, Saltzgaber, Stokes, Tyler and Wagener—19.

So the motion was disagreed to.

Mr. Marsh moved to amend said bill by inserting after section 6, page 296, the following: "And on any street whenever the tracks of two street railroads, or of a street railroad and a steam railroad, cross each other at a common grade, the crossings shall be made with crossing-frogs of the most approved pattern and materials, and kept up and in repair at the joint expense of the companies owning said tracks."

Which was agreed to.

Mr. Seitz moved that the Senate take a recess.

On which motion, the yeas and nays were demanded, taken and resulted—yeas 12, nays 14, as follows:

Those who voted in the affirmative were—

Messrs. Beer, Benson, Carlisle, Curtiss, Howland, Jackson of Clinton, Lord, McDonald, Richards, Sabine, Seitz and Tyler—12.

Those who voted in the negative were—

Messrs. Armstrong, Carson, Dungan, Fisher, Forrest, Irvine, Marsh, Owens, Parker, Saltzgaber, Sherrick, Stokes, Wagener and Williams–14.

So the motion was disagreed to.

On motion of Mr. Saltzgaber, H. B. No. 41 was ordered to be engrossed and read the third time.

Pending the reading of which—

Mr. Carlisle moved that the Senate take a recess until 2 o'clock p. m.

Which was disagreed to.

The third reading was continued when—

Mr. Richards moved that the Senate take a recess.

Which was disagreed to.

During the continuance of the third reading of said bill—

Mr. Richards demanded a call of the Senate.

The President decided the motion out of order, as the Senate had ordered the third reading of H. B. No. 41, and that during the carrying out of such an order, a call of the Senate was not in order.

Mr. Richards appealed from the decision of the President.

The question being "Shall the decision of the President stand as the opinion of the Senate?" the yeas and nays were taken and resulted—yeas 15, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, McDonald, Owens, Parker, Saltzgaber, Sherrick, Stokes and Tyler—15.

Messrs. Beer, Curtiss, Howland, Richards and Sabine were present, but refused to vote.

So the decision of the President was sustained.

Mr. Howland moved that the Senate adjourn.

On which motion the yeas and nays were demanded, taken and resulted—yeas 3, nays 16, as follows:

Those who voted in the affirmative were—

Messrs. Beer, Howland and Richards—3.

Those who voted in the negative were—

Messrs. Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Irvine, McDonald, Owens, Parker, Saltzgaber, Sherrick, Stokes, Tyler and Wagener—16.

So the motion was disagreed to.

Pending said third reading—

Mr. Richards moved that the bill be laid upon the table.

Mr. Beer moved that the Senate take a recess.

The President decided said motion out of order, a similar motion having already been made during the third reading of said bill.

Mr. Beer appealed from the decision of the President.

Said appeal was entertained by the President.

The question being, "Shall the decision of the President stand as the opinion of the Senate?" the yeas and nays were taken and resulted—yeas 14, nays 4, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carson, Dungan, Fisher, Forrest, Irvine, McDonald, Owens, Parker, Saltzgaber, Sherrick, Stokes and Wagener—14.

Those who voted in the negative were—

Messrs. Curtiss, Howland, Kelley and Richards—4.

So the decision of the President was sustained.

The third reading of said bill having been concluded—

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays 4, as follows:

Those who voted in the affirmative were—

Messrs. Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Perry, Joy, Lord, Marsh, McDonald, Owens, Parker, Richards, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener and Williams—23.

Those who voted in the negative were—

Messrs. Beer, Howland, Kelley and Sabine—4.

So the bill was passed. The title was agreed to.

Mr. Richards submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled the following bills:

H. B. No. 409—For the relief of Peter Weikert.

H. B. No. 416—To authorize the city council of Bellaire, Ohio, to appropriate and pay the amount assumed by said city for purchase of site for State tobacco warehouse.

H. B. No. 360—Supplementary to an act entitled "An act to authorize the trustees of Brecksville township, Cuyahoga county, to levy a tax for certain purposes mentioned therein," passed May 5, 1877.

C. R. Harmon, F. M. Carter,
R. G. Richards, E. S. Perkins,
Irvine Dungan, A. D. Marsh,
J. W. Washburn, Duncan Dow.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills and joint resolutions:

S. J. R. No. 52—To appoint a joint committee to ascertain upon what terms Longview Asylum can be transferred to the State of Ohio.

S. B. No. 127—To provide for the administration of property given for the promotion of science, art, and like purposes, and to protect the same from waste.

S. B. No. 178—To authorize the directors of the Union school district of Chagrin Falls, Cuyahoga county, to levy and assess an additional tax.

Sub. for J. R. No. 1—Providing for adjournment.

Irvine Dungan, R. G. Richards,
Wm. Jessup. F. M. Carter,
C. R. Harmon, Duncan Dow.

Mr. Dungan submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled the following bills and joint resolutions:

S. J. R. No. 50—Relating to the improvement of State lands in the city of Columbus.

S. B. No. 169—To authorize the council of the city of Lima to levy a tax for library purposes.

S. B. No. 156—Directing how cities of the first class, having accepted property or funds upon condition of establishing and maintaining an astronomical observatory, shall provide for the support of the same.

S. B. No. 47—To authorize and empower the auditor of Licking county to refund certain taxes improperly collected.

S. J. R. No. 53—Relative to the employment of certain convict labor.

Irvine Dungan, F. M. Carter,
R. G. Richards, C. R. Harmon,
Wm. Jessup, D. Dow.

Mr. Dungan submitted the following report:

The joint committee on Enrollment have examined and found correctly enrolled the following bills:

H. B. No. 290—Supplementary to an act entitled an act to provide r the organization and government of municipal corporations, passed ay 7, 1869, (66 Ohio Laws, page 149, etc.)

H. B. No. 213—To amend an act entitled an act supplementary to

the act regulating the mode of administering assignments in trust for the benefit of creditors, passed April 6, 1867; passed March 6, 1861, (vol. 58, page 26).

H. B. No. 391—To authorize the trustees of Richland township, Vinton county, to levy an additional tax for township purposes.

H. B. No. 457—To authorize private cemetery associations, brought within the corporate limits of incorporated villages, to become incorporated.

F. M. Carter, Duncan Dow,
E. S. Perkins, Wm. Jessup,
C. R. Harmon, R. G. Richards,
A. D. Marsh, Irvine Dungan.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled the following bills:

H. B. No. 280—To create a special school district in Brown township, Delaware county, Ohio.

H. B. No. 534—For the relief of Horace S. Horton.

H. B. No. 472—To divide Falls township, Hocking county, into two election precincts.

H. B. No. 372—For the relief of W. J. Jacobs.

Irvine Dungan, C. R. Harmon,
E. S. Perkins, Wm. Jessup,
F. M. Carter, R. G. Richards.

Mr. Dungan submitted the following report:

The joint committee on Enrollment have examined and found correctly enrolled the following bill:

H. B. No. 433—To revise and consolidate the laws relating to procedure in the probate court.

J. W. Washburn, F. M. Carter,
Duncan Dow, Wm. Jessup,
E. S. Perkins, C. R. Harmon,
A. D. Marsh.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 181—Mr. Lord—To amend the act entitled an act to authorize cities of the first class to issue bonds for university purposes, passed April 27, 1872, (69 O. L., 164).

Attest: L. A. Brunner, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 280—Mr. Elliott—To retain a special school district in Brown township, Delaware county.

H. B. No. 372—Mr. Parker—For the relief of W. J. Jacobs.

H. B. No. 290—Mr. Achauer—Supplementary to an act entitled "an act to provide for the organization and government of municipal corporations," passed May 7, 1869, (66 O. L., page 149, etc.)

H. B. No. 457—Mr. Clough—To authorize private cemetery associations, brought within the corporate limits of incorporated villages, to become incorporated.

H. B. No. 391—Mr. Swaim—To authorize the trustees of Richland township, Vinton county, to levy an additional tax for township purposes.

H. B. No. 213—Mr. Hayman—To amend an act entitled an act supplementary to the act regulating the mode of administering assignments in trust for the benefit of creditors, passed April 6, 1867; passed March 6, 1869, (vol. 58, page 26).

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills and joint resolutions:

H. B. No. 360—Mr. Dempcy—Supplemental to an act entitled "An act to authorize the trustees of Brecksville township, Cuyahoga county, to levy a tax for certain purposes mentioned therein," passed May 5, 1877.

S. B. No. 169—Mr. Saltzgaber—To authorize the city of Lima to levy a tax for library purposes.

S. B. No. 156—Mr. Marsh—Directing how cities of the first class, having accepted property or funds upon condition of establishing and maintaining an astronomical observatory, shall provide for the support of the same.

S. J. R. No. 50—Mr. Forrest—Relating to the improvement of State lands in the city of Columbus.

S. J. R. No. 53—Mr. Sherrick—Relative to the employment of certain convict labor.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills and joint resolutions.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

H. B. No. 433—Mr. Meuser—To revise and consolidate the laws relating to procedure in the probate court.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bill.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 546—Mr. Clough—To allow the city council of Hamilton to enter into a contract for the furnishing of gas for the lighting of the streets, alleys, and public buildings, and places therein.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 416—Mr. Alexander—To authorize the city council of Bellaire, Ohio, to appropriate and pay the amount assumed by said city for purchase of site for State tobacco warehouse.

H. B. No. 534—Mr. Carpenter—For the relief of Horace S. Horton.

H. B. No. 472—Mr. Wolf—To divide Falls township, Hocking county, into two election precincts.

H. B. No. 409—Mr. Norton—For the relief of Peter Weikert.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 115—Mr. Forrest—To revise and consolidate the laws relating to civil procedure in courts of common pleas, and superior courts, and district courts on appeal.

With the following amendments in which the concurrence of the Senate is requested:

Division 8, section 1, No. 183, page 313, strike out all of said subdivision No. 183 of section 1.

Part 3, page 174, division 6, chapter 2, section 3, line 7, strike out the words "not exceeding" and insert "equal to."

After the words "on appeal" in the title, add the following, "and also the laws relating to procedure in error, mandamus and quo warranto."

In line 2, section 7, chapter 3, division 2, after the word "him" add the following, "and when a next friend is insolvent the court may on motion, require security therefor."

At the end of section 10, page 26, division 2, chapter 6, add the following: "but if the defendant be an incorporated river transportation company, whether organized under the laws of the State or another State, the service of a summons may be upon the master or other chief officer

of any of its steamboats or other craft, or upon any of its authorized ticket or freight agents, at any port where it may transact business."

In line 10, section 66, page 77, strike out all after the word "jurisdiction" to the end of section, and insert the following, "but such interlocatory order, dissolving such injunction, shall not be suspended by the appeal, except by the order of the district court, or any two judges thereof, in vacation, on notice to adverse party."

Section 3. page 84, chapter 3, strike out all of sub-division 2, and insert the following, "when the action or proceeding relates to a contract made through an agent, by a person since deceased, and the agent testifies, a party may testify on the same subject."

Strike out sub-division 8, section 3, chapter 3, and insert the following, "If a party die, and his deposition be offered in evidence, the opposite party may testify as to all competent matters therein."

In line 4, section 14, page 111, after the word "index" insert "direct and reverse."

In section 41, page 136 and section 42, same page, strike out the words "on decree" wherever the same occurs.

In line 3, section 14, page 191, strike out the word "brought" and insert "pending."

In line 2, section 5, page 246, strike out all after the word "order" to the end of section.

After section 6, page 279, add the following:

SEC. 7. An appeal may be had from the judgment of the court of common pleas to the district court, as in other cases of appeal, and the district court shall, on the application of a party, direct the issue that was tried in the court below to be retried in that court, in the manner herein provided. (50 v. 279, § 24, S. & C., 1619.)

After section 5, page 281, chapter 17, add the following:

SEC. 6. The court of common pleas and superior courts are authorized and empowered to correct, amend, and relieve against any errors, defects or mistakes occuring in the deed or other conveyance of a husband and wife heretofore or hereafter executed and intended to convey or incumber the lands or estate of the wife, or her right of dower in the lands of her husband, in the same manner and to the same extent as the said courts are or shall be authorized or empowered to correct errors, mistakes, or defects in the deeds or conveyances of any other persons. (54 v. 199, § 1, S. & C., 694.)

Strike out all of section 2, after "repeals," pages 313 and 314.

After page 313, add the following: Title 4, errors, mandamus and quo warranto.

Attest: L. A. BRUNNER, *Clerk*.

The question being on concurring in said House amendments, the yeas and nays were taken, and resulted—yeas 3, nays 25, as follows:

Those who voted in the affirmative were—

Messrs. Carson, Curtiss and Jackson of Clinton—3.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Joy, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener and Williams—25.

So the Senate refused to concur in said House amendments.

Mr. Forrest moved that a Conference committee be requested to consider the differences between the two Houses on S. B. No. 115.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills and joint resolutions:

S. B. No. 47—Mr. Owens—To authorize and empower the auditor of Licking county to refund certain taxes improperly collected.

S. B. No. 127—Mr. Lord—To provide for the administration of property given for the promotion of science, art, and like purposes, and to protect the same from waste.

S. B. No. 178—Mr. Curtiss—To authorize the directors of the union school district of Chagrin Falls, Cuyahoga county, to levy and assess an additional tax.

S. J. R. No. 52—Mr. Lord—To appoint a joint committee to ascertain upon what terms Longview Asylum can be transferred to the State of Ohio.

Sub. for J. R. No. 1—By Joint Committee—Providing for adjournment.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills and joint resolutions.

Mr. Fisher submitted the following report:

The joint committee of Conference, to whom was referred S. B. No. 49—Mr. Sherrick—To amend and revise the statutes relating to taxation; to be known as title 13, part 1, of the act to revise and consolidate the general statutes—

Having had the same under consideration, report it back, and recommend as follows:

That the House recede from its amendments Nos. 1, 3, 15, 16, 17, 19, and 20, and that the Senate concur in House amendments No. 4, 9, 11, 13, 18, 22, 23, 24, 27 and 29.

Amendment No. 28 amend as follows, substitute for section 14, chapter 5, page 65, the following:

SEC. 14. In the tax list and duplicate there shall be columns for the number and value, and the auditor shall levy one dollar on each dog, and in addition thereto the proper tax on any valuation that may be fixed upon the dog by its owner.

Amendment No. 29, amend as follows, after the word "thereafter" in line 25, add, "provided that the county commissioners may reject any and all bids for such work."

J. C. FISHER,
J. SHERRICK,
H. W. CURTISS,
Senate Committee.

J. W. WASHBURN,
WM. H. REED,
J. F. OGLEVEE,
House Committee.

The question being on agreeing to said report of the Conference committee, the yeas and nays were taken, and resulted, yeas 28, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Joy, Kelley, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener and Williams—28.

Mr. Lord voted in the negative—1.

So the report of the committee was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has agreed to the report of the committee of Conference on—

S. B. No. 49—Mr. Sherrick—To amend and revise the statutes relating to taxation to be known as title 13, part 1, of the act to revise and consolidate the statutes.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Beer submitted the following report:

The standing committee on Finance, to whom was referred—

H. B. No. 526—For the relief of Joseph Stofer—

Having had the same under consideration, report it back, and recommend its passage.

J. SHERRICK, H. W. CURTISS,
J. M. CARSON, H. C. LORD,
JOHN SEITZ, IRVINE DUNGAN,
THOS. M. BEER.

Said bill was ordered to be engrossed, and read the third time on Saturday next.

Mr. Lord moved that the vote whereby House Substitute for J. R. No 1 was adopted, be reconsidered.

Mr. Forrest moved to lay said motion on the table.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 17, nays 9, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Joy, Marsh, Richards, Seitz, Sherrick, Stokes, Wagener and Williams—17.

Those who voted in the negative were—

Messrs. Beer, Benson, Curtiss, Jackson of Clinton, Kelley, Lord, Owens, Sabine and Saltzgaber—9.

So the motion was agreed to.

Mr. Seitz submitted the following report:

The committee of Conference, on matters of difference between the Senate and House on S. B. No. 11—

Having had the same under consideration, recommend that the Senate concur in House amendments 1, 2 and 5, and that the House recede from amendments 3, 4, 6, 7 and 8.

JOHN SEITZ, A. R. VAN CLEAF,
D. WAGENER, J. W. BULL,
LINDSEY KELLEY.

The question being on agreeing to said report of the Conference committee, the yeas and nays were taken and resulted—yeas 20, nays 7, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Lord, Marsh, Owens, Parker, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener and Williams—20.

Those who voted in the negative were—

Messrs. Beer, Curtiss, Howland, Jackson of Clinton, Kelley, Richards and Sabine—7.

Said report was agreed to.

Mr. Owens submitted the following report:

The select committee of six, to whom was referred H. B. No. 488—By the codifying commission—Entitled Part Third, Remedial, Title Third, Justices of the Peace—

Having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

Amend section 17, on page 9, so as to read as follows:

SEC. 17. The plaintiff shall have an order of attachment against any property of the defendant (except as hereinafter provided), in a civil action before a justice of the peace, for the recovery of money, before or after the commencement thereof, when there is filed in his office an affidavit of the plaintiff, his agent, or attorney, showing the nature of the plaintiff's claim, that it is just, the amount the affiant believes the plaintiff ought to recover, and that the property about to be attached is not exempt from execution, and is not the personal earnings of the defendant for services rendered by the defendant within three months prior to the commencement of said action, or, if such earnings are sought to be attached, that they amount to more than $150, and that only the excess over that amount is sought to be attached, or that the defendant is not the head or support of a family; and also the existence of some one, or more, of the following particulars:

1. That the defendant, or one of several defendants, is a corporation, having no officer upon whom a summons can be served, or place of doing business in the county, or is a non-resident of the county; or,

2. Has absconded, with intent to defraud his creditors; or,

3. Has left the county of his residence to avoid the service of a summons; or,

4. So conceals himself that a summons can not be served upon him; or,

5. Is about to remove his property, or a part thereof, out of the county, with the intent to defraud his creditors, or,

6. Is about to convert his property, or a part thereof, into money, for the purpose of placing it beyond the reach of his creditors; or,

7. Has property, or rights of action, which he conceals; or,

8. Has assigned, removed, or disposed of, or is about to assign, remove or dispose of his property, or a part thereof, with intent to defraud his creditors; or,

9. Fraudulently or criminally contracted the debt, or incurred the obligation, for which suit is about to be, or has been brought.

When the defendant is a corporation, having no officer in the county upon whom a summons can be served, or place of doing business in the county, or is a non-resident of the county, the attachment shall not be granted, unless the claim is for a debt or demand arising upon contract,

judgment or decree; and no attachment shall issue by virtue of this chapter against the personal earnings of any defendant for services rendered by such defendant, within three months before the commencement of the action or the issuing of the attachment, unless the defendant is not the head or support of a family, or unless the amount of such earnings exceeds $150, and then only as to the excess over that amount. (59 v. 17, § 28; S. & S. 420.)

At the end of section 5, page 4, add: "but if the defendant be an incorporated river transportation company, whether organized under the laws of the State or another State, the service of a summons may be upon the master or other chief officer of any of its steamboats or other craft, or upon any of its authorized ticket or freight agents, at any port where it may transact business." (51 v. 179, § 15; S. & C. 767.)

At the end of section 1, page 22, add: "a change of the place of trial shall be allowed." (51 v. 179, § 57; S. & C. 767).

In section 13, line 5, after the word "undertaking," add, "in not less than double the amount of the plaintiff's claim, as stated in the affidavit;" and strike out all of said section after the word "obtained," in line eight.

In section 18, line 8, strike out the word "exceeding," and insert "less than."

JAMES W. OWENS, JOHN SEITZ,
J. C. FISHER, W. H. STOKES,
D. D. BEEBE.

The question being on agreeing to said report of the committee, the yeas and nays were taken and resulted—yeas 25, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Kelley, Marsh, Owens, Parker, Richards, Sabine, Saltzgaber, Sherrick, Stokes, Tyler, Wagener and Williams—25.

So said amendments were agreed to.

Mr. Forrest moved that said H. B. No. 488 be engrossed and read the third time now. Which was agreed to.

Mr. Kelley moved that the Senate take a recess until to-morrow morning at 9 o'clock. Which was agreed to.

WEDNESDAY, MAY 8, 1878—9 O'CLOCK A. M.

The Senate met pursuant to recess.

When the Senate took a recess it had under consideration H. B. No. 488.

Said bill was engrossed and read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 22, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Carson, Curtiss, Dungan, Fisher, Howland, Irvine Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Sabine, Seitz, Steedman, Stokes and Williams—22.

So the bill was passed. The title was agreed to.

The President appointed Messrs. Forrest, Saltzgaber and Richards as Conference committee, onpart of the Senate, on S. B. No. 115.

Mr. Steedman moved to take from the table S. B. No. 100.

Which was agreed to.

Said S. B. No. 100 was ordered to be read the third time now, and was then read.

On demand of Mr. Joy a call of the Senate was had.

Messrs. Grove, Benson, Jackson of Perry, Forrest, Richards, Saltzgaber, Sherrick and Wilson were absent.

Messrs. Benson, Forrest and Richards appeared within the bar and answered to their names.

On motion of Mr. Steedman, further proceedings under the call were dispensed with.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 26, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—26.

Messrs. Beer and Sabine voted in the negative—2.

So the bill passed. The title was agreed to.

Leave of absence for this morning was asked and obtained for the Conference committee on S. B. No. 115.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 548—Mr. Van Cleaf—To amend section 3 of an act entitled an "Act to reorganize the Reform School for Boys," passed March 21, 1878.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives accedes to the request of the Senate, and has appointed Messrs. Meuser, Washburn and Foster a committee of Conference, on the part of the House, to consider the differences existing between the two Houses on—

S. B. No. 115—Mr. Forrest—To revise and consolidate the laws relating to civil procedure in courts of common pleas and superior courts, and district courts on appeal.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to—

H. B. No. 535—Mr. Tyler of Licking—Requiring county auditors to provide poll books and tally sheets for elections.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives, and read the first time:

H. B. No. 552—Mr. Norton—Supplementary to an act entitled "procedure in probate courts."

H. B. No. 553—Mr. Kellogg—To amend section 56 of an act entitled an "Act for the reorganization and maintenance of common schools," passed and took effect April 21, 1877, (O. L., vol. 74, p. 108).

Attest: L. A. BRUNNER, *Clerk.*

Mr. Lord offered the following resolution:

S. R. No. 57—*Resolved*, That Solon L. Goode, Enrolling Clerk, Charles Rhodes, Engrossing Clerk, and Ed. A. Knowles, Recording Clerk, be allowed *per diem* from the first day of this session; and the President of the Senate is hereby directed to certify in their favor for the number of days so employed.

Mr. Seitz moved that said resolution be referred to the committee on Fees and Salaries of Public Officers.

Which was disagreed to

The question being on the adoption of said resolution, the yeas and nays were taken, and resulted—yeas 24, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Dungan, Fisher, Howland, Irvine, Jackson of Clinton, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Sabine, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—24.

Messrs. Parker and Seitz voted in the negative—2.

So the resolution was adopted

Mr. Dungan, on leave, introduced the following bill, which was read the first time:

S. B. No. 188—To authorize the redemption of real estate hereafter sold at judicial sale.

Mr. Seitz moved that the constitutional rule requiring bills to be read on three different days be suspended, that S. B. No. 188 may be read the second time.

On which motion the yeas and nays were taken, and resulted—yeas 14, nays 8, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carson, Dungan, Fisher, Grove, Irvine, Joy, Krimmel, McDonald, Seitz, Steedman, Tyler and Wagener—14.

Those who voted in the negative were—

Messrs. Beebe, Beer, Howland, Jackson of Clinton, Kelley, Lord, Owens and Sabine—8.

So the motion was disagreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 552—Mr. Norton—Supplementary to an act entitled "procedure in probate courts."

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 370—Mr. Loder—Supplementary to the act entitled "An act to amend an act entitled an act to regulate the election of state and county officers," passed May 3, 1852, passed April 2, 1870, (vol. 67, p. 47), and an act supplementary to an act for the incorporation of townships, passed April 29, 1872, (vol. 69, p. 202).

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments Nos. 1, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34 and 35—

And has refused to concur in Nos. 2, 3, 4, 5, 6, 7, 8, 9 and 10 to—

H. B. No. 72—Mr. Washburn—To reorganize the Asylum for the Blind.

And asks for committee of Conference on the remaining differences existing between the two Houses.

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Sherrick, the Senate acceded to the request of the House, and the President appointed Messrs. Sherrick, Marsh and Beebe as such committee on part of the Senate.

Mr. Stokes submitted the following report:

The standing committee on Agriculture, to whom was referred H. B. No. 447—To define certain water-courses—

Having had the same under consideration, report it back and recommend its passage.

W. H. STOKES, J. M. CARSON,
THOS. S. JACKSON, J. B. WILLIAMS,
JOHN H. BENSON, H. SABINE.

Said bill was ordered to be engrossed and read the third time on Saturday next.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 522—To authorize a temporary loan for sewerage purposes—

Having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH, LYMAN J. JACKSON,
G. A. GROVE, JAMES B. STEEDMAN,
R. G. RICHARDS.

Said bill was ordered to be engrossed and read the third time on Saturday next.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 518—To authorize the city of Lancaster, Ohio, to issue bonds to purchase cemetery grounds—

Having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH, LYMAN J. JACKSON,
R. G. RICHARDS, G. A. GROVE,
G. M. SALTZGABER.

Said bill was ordered to be engrossed and read the third time on Saturday next.

Mr. Dungan submitted the following report:

The standing committee on Corporations other than Municipal, to whom was referred H. B. No. 530—To amend the act of April 12, 1877, entitled "An act to amend an act entitled an act to authorize trustees of townships to appropriate lands for cemetery purposes," passed and took effect April 3, 1867, (74 v., 87)—

Having had the same under consideration, report it back, and recommend its passage.

IRVINE DUNGAN, J. M. ARMSTRONG,
R. G. RICHARDS, GEO. P. TYLER.

Said bill was ordered to be engrossed and read the third time on Saturday next.

Mr. Joy moved that S. R. No. 56 be taken from the table.

Which was agreed to.

The question being on the adoption of said resolution, the yeas and nays were demanded, taken and resulted—yeas 19, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Curtiss, Dungan, Fisher, Howland, Irvine, Jackson of Clinton, Joy, Kelley, Marsh, McDonald, Owens, Sabine, Steedman, Stokes, Tyler, Wagener and Williams—19.

So the resolution was adopted.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 149—Mr. Armstrong—To authorize the Board of Trustees of the Cincinnati Hospital to establish a branch hospital for the accommodation of persons afflicted with contagious diseases—

With the following amendments, in which the concurrence of the Senate is requested:

Add, as section 5, the following:

"SEC. 5. Said site and improvements shall not exceed in cost the proceeds arising from said sales and the levy hereby authorized. The cost of said branch hospital, including the work and materials for its complete construction, and not including the site, shall not exceed the sum of $60,000. The board of county commissioners of Hamilton county are hereby authorized to convey to the city of Cincinnati, to be used for a site for said branch hospital, any real estate owned by said county which may be made suitable for said purpose, for such consideration as may be agreed upon between said board of county commissioners and said trustees, which money shall be deposited in the general fund of said county. All moneys arising from said levy and said sales, in excess of the cost of said branch hospital and site, shall be deposited in the city treasury and used toward payment of the present debt of said hospital; providing, nevertheless, that the funds arising from said levy and sales may be used to construct an addition to the Cincinnati Hospital, for the accommodation of persons afflicted with contagious diseases, instead of using the same for the purchase of land for a site and construction of said branch hospital."

And make section 5 section 6.

In line 3, of section 2, after the word "county," insert, "and shall contain at least five acres of land, and said branch hospital shall be situated at least (200) two hundred feet from any other land."

Attest: L. A. BRUNNER, *Clerk.*

The queston being on concurring in said House amendments, the yeas and nays were taken, and resulted—yeas 5, nays 14, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Carson, Wagener and Williams—5.

Those who voted in the negative were—

Messrs. Beer, Dungan, Fisher, Grove, Howland, Irvine, Joy, Kelley, Lord, Marsh, McDonald, Owens, Parker and Sabine—14.

So the Senate refused to concur in said amendments.

Mr. Grove moved to take from the table S. B. No. 148.

Which was agreed to.

The question being on concurring in the House amendment to said bill, the yeas and nays were taken and resulted—yeas none, nays 21, as follows:

Those who voted in the negative were—

Messrs. Armstrong, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Jackson of Clinton, Kelley, Lord, McDonald, Owens, Parker, Sabine, Steedman, Stokes, Tyler, Wagener and Williams—21.

So the Senate refused to concur in said amendment.

Mr. Grove moved that a committee of Conference be appointed on said bill.

Which was agreed to.

The President appointed Messrs. Grove, Parker and Howland as such committee on part of the Senate.

Mr. Dungan submitted the following report:

The standing committee on Corporations other than Municipal, to whom was referred H. B. No. 165—Supplementary to an act entitled "An

act to provide for the creation and regulation of incorporated companies in the State of Ohio," passed May 1, 1852—

Having had the same under consideration, report it back, and recommend its passage.

IRVINE DUNGAN, GEO. P. TYLER,
J. M. ARMSTRONG, R. G. RICHARDS.

Said bill was ordered to be engrossed and read the third time on Saturday next.

Mr. Fisher offered the following resolution, which was adopted:

S. R. No. 58—WHEREAS, The Clerk of the Senate has nearly 1,000 pages of laws to enroll, and it being necessary for him to employ a large clerical force to perform the labor; therefore, be it

Resolved, That he is hereby authorized to use the Senate committee room for his clerical force.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested:

H. J. R. No. 52—Mr. Clough—That the board of public works shall take immediate possession of the public works of the State.

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Carlisle, said joint resolution was referred to the committee on Public Works.

Mr. Carson presented the petition of Henry Cargill and other citizens of Port Jefferson, Shelby county, praying that the berme bank of the feeder of the Miami and Erie canal from Port Jefferson to Sidney may be granted to the Columbus & North Western Narrow Gauge Railway Company for a road bed, under certain restrictions.

Which was referred to the committee on Public Works.

Mr. Carson offered the following joint resolution:

S. J. R. No. 56—*Be it resolved by the General Assembly of the State of Ohio*, That the board of public works of the State be and they are hereby authorized to permit the Columbus & North Western Narrow Gauge Railway Company to use and occupy the berme bank of the feeder to the Miami and Erie canal from the village of Port Jefferson to Sidney, in Shelby county.

Provided, however, that said Railway Company, before taking possession of said berme bank, shall enter into a contract with the State of Ohio, said contract to be prepared by the Attorney General, binding said company, their lessees, assigns, or person, or persons occupying the said berme bank, to forever keep the same in good repair for canal purposes—which repairs shall be made under the direction of the board of public works, and in case said company shall fail or refuse to repair said bank when requested by the board of public works, the right of said company to use or occupy said bank shall cease, and the State shall be entitled to immediate possession of the same.

On motion of Mr. Curtiss, said joint resolution was referred to the committee on Public Works.

Mr. Carlisle moved that H. B. No. 354 be taken from the table.

Which was agreed to.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 25, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Jackson of Clinton, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Sabine, Saltzgaber, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—25.

Those who voted in the negative were—

Messrs. Howland and Seitz—2.

So the bill was passed. The title was agreed to.

Mr. Parker moved that H. B. No. 445 be taken from the table.

Which was agreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Benson, Carson, Curtiss, Fisher, Forest, Howland, Irvine, Joy, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—24.

So the bill was passed. The title was agreed to.

On motion of Mr. Joy, the Senate took a recess.

THREE O'CLOCK P. M.

Mr. Lord moved to reconsider the vote whereby the Senate refused to concur in the House amendments to S. B. No. 149.

Which was agreed to.

The question recurring on concurring in House amendments to said bill, the yeas and nays were taken, and resulted—yeas 24, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Carson, Curtiss, Dungan, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Joy, Krimmel, Lord, McDonald, Owens, Parker, Sabine, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—24.

Mr. Marsh voted in the negative—1.

So the Senate concurred in said amendments.

Mr. Krimmel offered the following resolution:

S. R. No. 59—*Resolved*, That the Clerk of the Senate be allowed pay for two hundred days at the rate allowed members and officers of the General Assembly by law, to complete the records of the Senate Journal of the present session; and that the President of the Senate is hereby directed to certify in favor of the Clerk for said allowance.

On motion of Mr. Seitz, said resolution was referred to the committee on Finance.

Mr. Steedman submitted the following report:

The standing committee on Public Works, to whom was referred S. J. R. No. 56—Authorizing the Columbus & North Western Narrow Gauge Railway to use and occupy the berme bank of the feeder of the Miami and Erie canal from the village of Port Jefferson to Sidney, in Shelby county—having had the same under consideration, report it back, and recommend its adoption.

JAS. B. STEEDMAN, H. C. LORD,
G. A. GROVE, G. M. SALTZGABER.

Mr. Howland moved to amend said joint resolution by inserting in line 9, after the word "bank," the following, to-wit: "Shall obtain the written consent of the lessees of the public works of the State."

Also in line 3 insert after the word "authorized," the following, to-wit: "Upon such terms and for such compensation as said board shall deem just."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 18, nays 11, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Kelley, Marsh, Parker, Richards, Sabine, Seitz, Sherrick, Wagener and Wilson—18.

Those who voted in the negative were—

Messrs. Carson, Dungan, Joy, Krimmel, Lord, McDonald, Owens, Saltzgaber, Steedman, Tyler and Williams—11

So the motion was agreed to.

The question being on the adoption of said joint resolution, as amended, the yeas and nays were taken, and resulted—yeas 20, nays 7, as follows:

Those who voted in the affirmative were—

Messrs. Benson, Carson, Dungan, Fisher, Grove, Jackson of Clinton, Joy, Kelley, Lord, McDonald, Owens, Richards, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—20.

Those who voted in the negative were—

Messrs. Armstrong, Forrest, Howland, Marsh, Parker, Sabine and Wilson—7.

So the joint resolution was adopted.

Mr. Forrest submitted the following report:

The joint committee of conference to whom was referred the matters of difference between the two Houses upon S. B. No. 115—Mr. Forrest—

Having had the same under consideration, recommend that the Senate recede from its position and concur in House amendments 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15, with the proviso that in amendment 15, section 20, pages 321 and 322, in lines 3 and 7, the word "three" be stricken out, and the word "two" inserted in lieu thereof.

W. T. Forrest,
G. M. Saltzgaber,
R. G. Richards,
Senate Committee.

J. G. Meuser,
J. W. Washburn,
G. H. Foster,
House Committee.

The question being on agreeing to said report, the yeas and nays were taken, and resulted—yeas 27, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Joy, Kelley, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—27.

So the report of said conference committee was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in all of Senate amendments to—

H. B. No. 488—Mr. Bloom—To revise and consolidate the laws relating to the procedure before justices of the peace and mayor.

Except amendment 4, and ask that the henate concur in the following amendment to Senate amendment No. 4:

Strike out the words "in not less than," and insert "equal to."

Attest: L. A. BRUNNER, *Clerk.*

The question being on concurring in said House amendment, the yeas and nays were taken, and resulted—yeas 26, nays none, as follows:

Those who vo'ed in the affirmative were—

Messrs. Beebe, Benson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Joy, Kelley, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—26.

So the Senate concurred in said amendment.

Mr. Steedman moved that S. B. No. 481 be taken from the table.

Which was agreed to.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 23, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Dungan, Forrest, Grove, Howland, Jackson of Clinton, Joy, Kelley, Lord, McDonald, Owens, Parker, Richards, Sabine, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—23.

Mr. Fisher voted in the negative—1.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 538—Mr. Bohl—In relation to the names of insurance companies.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has appointed Messrs. Meuser, Washburn and Greene as a committee of Conference on part of the House, to consider the difference existing between the two Houses on—

H. B. No. 72—Mr. Washburn—To reorganize the Asylum for the Blind.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives accedes to the request of the Senate, and has appointed Messrs. Clough, Loder and Harman, a committee of Conference to consider the difference existing between the two Houses on—

S. B. No. 148—Mr. Grove—Relative to offenses against chastity and morality.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Sherrick submitted the following report:

The joint committee of Conference, to whom was referred the matters of difference between the two Houses on H. B. No. 72—

Having had the same under consideration, recommend that the House recede from its position, and concur in Senate amendments 2, 3, 4, 5, 6, 7 and 8, and that the Senate recede from its amendments 9 and 10.

J. SHERRICK,
THEO. MARSH,
On part of the Senate.

J. G. MEUSER,
J. W. WASHBURN,
On part of the House.

The question being on agreeing to said report, the yeas and nays were taken, and resulted—yeas 21, nays 5, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—21.

Those who voted in the negative were—

Messrs. Beebe, Curtiss, Jackson of Clinton, Richards and Wilson—5.

So the report of said Conference committee was agreed to.

Mr. Krimmel submitted the following report:

The Conference committee on S. B. No. 94, to whom was referred the subject matter of difference between the Senate and House on House amendments to said S. B. No. 94—

Having had the same under consideration, recommend as follows:

1 That the Senate concur in House amendments Nos. 1, 3, 5, 6, and the last three lines of No. 7.

2. That the House recede from its amendment made in lines 1 and 2 of amendment 7.

C. F. KRIMMEL,
JOHN SEITZ,
Senate Committee.

HENRY BOHL,
S. A. HOSTETTER,
House Committee.

The question being on agreeing to said report, the yeas and nays were taken and resulted—yeas 24, nays 9, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Dungan, Fisher, Forrest, Grove, Irvine, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—22.

Those who voted in the negative were—

Messrs. Beebe, Carson, Curtiss, Howland, Jackson of Clinton, Kelley, Richards, Sabine, and Wilson—9.

So the report of the Conference committee was agreed to.

Mr. Krimmel submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled the following bill:

S. B. No. 181—An act to amend the act entitled "An act to authorize cities of the first class to issue bonds for university purposes," passed April 27, 1872, (69 O. L., 164).

C. F. Krimmel, E. S. Perkins,
C. R. Harmon, Duncan Dow,
F. M. Carter, A. D. Marsh.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the adoption of the following joint resolution:

S. J. R. No. 49—Mr. Owens—To provide for the publication of the Ohio State reports, and the advance sheets of the same.

Attest: L. A. Brunner, *Clerk.*

Mr. Saltzgaber submitted the following report:

The committee on Revision has examined, and found correctly engrossed, S. B. No. 139.

G. M. Saltzgaber,
J. C. Fisher,
J. M. Carson.

Mr. Armstrong submitted the following report:

The standing committee on Claims, to whom was referred H. B. No. 428—To authorize the commissioners of the counties of Butler, Warren, Montgomery and Preble to pay a local bounty—

Having had the same under consideration, report it back and recommend its passage.

J. M. Armstrong, C. S. Parker,
H. Sabine, J. C. McDonald,
G. A. Grove, D. D. Beebe,
J. B. Williams.

Said bill was ordered to be engrossed and read the third time on Saturday next.

Mr. Forrest moved that S. B. No. 138 be taken from the table.

Which was agreed to.

Mr. Lord moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 1 section 3 strike out the word "an" and insert "any."

In line 2 strike out the words "as mentioned in section 1 of this act."

Which was agreed to, and Mr. Lord was appointed such committee.

Mr. Lord, on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No. 138, with instructions to amend, reports the same back amended as instructed.

H. C. LORD.

Mr. Tyler moved to refer the bill to a select committee of one with instructions to amend as follows:

In line 3 section 1 after the word city add the words "or village," and strike out in line 4 after the word "Ohio" in section 1, "having over twenty thousand inhabitants," and add after the word "cities" in line 6 section 1 "and villages," and after the word "cities" in line 2 section 2 add "and villages." Which was disagreed to.

Mr. Lord moved to refer the bill to a select committee of one, with instructions to amend as follows:

In line 1 section 3 after the word "engineers" add the words "or skilled mechanics."

Which was agreed to, and Mr. Lord was appointed such committee.

Mr. Lord, on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No. 138, with instructions to amend, reports the same back, amended as instructed.

H. C. LORD.

Mr. Steedman moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out the word "twenty" in line 4 section 1 and insert "seventy."

Mr. Sherrick moved that said bill and pending amendment be laid upon the table. Which was agreed to

Mr. Carlisle moved to take from the table H. B. No. 81.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 17, nays 10, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Carson, Fisher, Forrest, Grove, Krimmel, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Sherrick, Stokes, Wagener and Williams—17.

Those who voted in the negative were—

Messrs. Curtiss, Dungan, Howland, Irvine, Jackson of Clinton, Kelley, Lord, Richards, Sabine, and Wilson—10.

So the motion was agreed to.

On demand of Mr. Carson, a call of the Senate was had.

Messrs. Beebe, Beer, Benson, Jackson of Perry, Krimmel and Stokes were absent.

On motion of Mr. Forrest, further proceedings under the call were dispensed with.

Mr. Owens moved to refer the bill to select committee of one, to amend as follows:

Add after section 2, sections 3, 4, 5 and 6.

SEC. 3. Said board of trustees are authorized to receive into said home the indigent children of deceased soldiers and sailors who lost their lives in the military or naval service of the United States during the late rebellion, or have since died by reason of wounds received, or disease contracted, while in said service, and in the line of duty as such soldier; provided, however, that no child of such deceased soldier shall be received into said home under the age of 12 years, during the lifetime of the mother of said child; and provided, also, that no child shall be re-

ceived into said home, except the child of a deceased soldier, on account of whose death the United States has paid or is paying a pension.

SEC. 4. That after the passage of this act the said board of trustees shall admit and continue in said home no child or children, unless the mother or guardian of such child or children shall pay over to said board of trustees, for the purpose of clothing said child or children, the money paid by the United States as a pension on account of the death of said soldier.

SEC. 5. The superintendent shall keep an accurate account of the amount of pension received on account of each and every such child, and the amount of pension so received on account of such child shall be used for no other purpose except for the clothing of such child; and if a greater sum than is necessary to properly clothe such child shall be received as pension on account of said child, then such balance shall be paid to said child, or the guardian thereof, when said child leaves said home.

SEC. 6. Said board of trustees shall admit no more children into said home until the provisions of this act are complied with, after which time, such children as are entitled, under this act, to the benefits of said home, shall be received from the various counties of the State, as nearly as possible in proportion to the population thereof.

Make section 3 section 7, and re-number succeeding sections.

Which was agreed to; and Mr. Owens was appointed such committee.

Mr. Owens. on leave, submitted the following report:

The select committee of one, to whom was referred H. B. No. 81, with instructions to amend, reports the same back amended as instructed.

JAS. W. OWENS.

Mr. Jackson, of Clinton, moved to refer the bill to a select committee of one, with instructions to amend as follows:

In Sec. 14, line 8, strike out the words "twenty-five," and insert the word "thirty."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 4, nays 18, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Jackson of Clinton, Richards and Sabine—4.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Carson, Fisher, Forrest, Grove, Irvine, Krimmel, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Sherrick, Stokes, Wagener and Williams—18.

So the motion was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 18, nays 10, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Carson, Fisher, Forrest, Grove, Irvine, Krimmel, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Sherrick Stokes, Wagener and Williams—18.

Those who voted in the negative were—

Messrs. Beebe, Curtiss, Dungan, Howland, Jackson of Clinton, Kelley, Lord, Richards, Sabine and Wilson—10.

So the bill was passed. The title was agreed to.

Mr. Fisher submitted the following report:

The committee on Revision has examined and found correctly engrossed S. J. R. No. 56—Mr. Carson.

J. M. CARSON, G. W. WILSON,
G. M. SALTZGABER, J. C. FISHER.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 117—Mr. Steedman—To authorize the commissioners of Lucas county to borrow an amount of money upon bonds of said county, not to exceed the sum of $50,000.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments Nos. 3, 5, 6, 7, 8, 9, 12, 13, 16½, 18, 19, 20, 22, 23, 24, 34, 35 and 40, to—

H. B. No. 41—Mr. Booth—To amend, revise and consolidate the statutes relating to municipal corporations, to be known as title 12, part 1, of the act to revise and consolidate the general statutes of Ohio—

And has refused to concur in Nos. 1, 2, 4, 10, 14, 15, 16, 17, 21, 25, 26, 27, 28, 29, 30, 31, 32, 36, 37 and 39.

And the House has amended No. 11 as follows: After the word "and," in the last line, insert the words "may fix"—and adopted the same, as amended, in which the concurrence of the Senate is requested.

The House has also amended No. 33 as follows: In section 5, line 14, strike out the words " nor renewal of any grant"—and, as amended, has adopted the same, in which the concurrence of the Senate is requested.

Attest: L. A. BRUNNER, *Clerk.*

The Senate refused to concur in said amendments.

Mr. Forrest moved that a committee of Conference be appointed on said bill.

Which was agreed to.

Mr. Saltzgaber, submitted the following report:

The committee on Revision has examined, and found correctly engrossed, S. B. No. 165—Mr. Beer.

G. M. SALTZGABER, J. C. FISHER,
J. M. CARSON.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives concurs in Senate amendments to H. B. No. 403, as follows, to-wit:

In Sec. 1, Nos. 8, 10, 12, 17, 19, 20, 22, 23, 24, 34, 35, 36, 37 and 38.

In Sec. 2: Nos. 51, 57, 58, 59, 62, 66, 68, 69 and 70—

And non-concur in all the others.

Furthermore, the House of Representatives requests the Senate to recede from its other amendments.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Fisher moved that the Senate adhere to its amendments.

Which was agreed to.

Mr. Saltzgaber moved to reconsider the vote whereby the Senate adhered to its amendments to said H. B. No. 403.

Which was agreed to.

The question recurring on Mr. Fisher's motion to adhere to Senate amendments—

Mr. Saltzgaber moved to amend said motion by striking out the word "adhere" and insert in lieu thereof the word "insist."

Which was agreed to.

The motion, as amended, was then agreed to, and—

On motion of Mr. Fisher, a committee of Conference was requested on said bill.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 500—Mr. Greene—To amend section 2 chapter 4, and section 24, chapter 5 of title 2, of an act passed May 5, 1877, entitled "An act to amend, revise and consolidate the statutes relating to criminal procedure," (O. L., v. 74, pp. 334–342).

H. B. No. 511—Mr. Poe—To authorize the council of the village of West Cleveland to issue bonds and levy a tax for water works purposes.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested.

H. B. No. 520—Mr. Marsh—For the relief of Henry B. Bennett.

H. B. No. 553—Mr. Kellogg—To amend section 56 of an act entitled "An act for the reorganization and maintenance of common schools," passed and took effect April 21, 1877, (O. L., v. 74, p. 108).

H. B. No. 492—Mr. Crosson—Amendatory to an act to authorize the commissioners of Hamilton and Clermont counties to build a bridge over the Little Miami river, passed April 7, 1876, (v. 73, O. L., p. 286); as amended March 30, 1877, (O. L., page 424).

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

S. B. No. 181—Mr. Lord—To amend the act entitled "An act to authorize cities of the first class to issue bonds for university purposes, passed April 27, 1872, (64, O. L., 164).

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bill.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 174—Mr. Grove—To enable the commissioners of Montgomery and Warren counties to purchase toll roads and to convert the same into free roads—

With the following amendments in which the concurrence of the Senate is requested:

Amend the title by inserting after "Montgomery" the words "and Warren," and insert instead of "county" the word "counties."

In section 1, line 2, after the word "Montgomery" add "and Warren;" strike out "county" and insert "counties."

In section 5, line 1, strike out "three" and insert "two."

The question being on concurring in said House amendments, the yeas and nays were demanded, taken and resulted—yeas 13, nays 9, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Dungan, Fisher, Forrest, Grove, Irvine, Joy, Krimmel, Lord, Marsh, McDonald, Richards and Tyler—13.

Those who voted in the negative were—

Messrs. Carlisle, Jackson of Clinton, Owens, Parker, Sabine, Seitz, Stokes, Wagener and Williams—9.

The Senate refused to concur in said amendments.

On motion of Mr. Grove, the appointment of a committee of Conference on said bill was requested.

The President announced the appointment of Messrs. Forrest, Dungan and Howland as Conference committee on H. B. No. 41; Messrs. Sherrick, Owens and Richards, on H. B. No. 403, and Messrs. Grove, Williams and Jackson of Clinton, on S. B. No. 174, on part of the Senate.

Mr. Saltzgaber moved to take from the table H. B. No. 195.

Which was disagreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives accedes to the request of the Senate, and appoints Messrs. Alexander, Groschner and Oglevee a Conference committee on part of the House, to consider the difference existing between the two Houses on H. B. No 403—Mr. Alexander.

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Tyler, the Senate adjourned until to-morrow morning at 9 o'clock.

Attest: ALLEN O. MYERS, *Clerk.*

THURSDAY, MAY 9, 1878—9 o'clock A. M.

The Senate met pursuant to adjournment.
The Journal was read and approved.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 34—Mr. Forrest—To revise and codify the laws relating to the organization and maintenance of the militia of Ohio—

With the following amendment, in which the concurrence of the Senate is requested:

Strike out the word "but," in line 9, sec. 7, chap. 2, page 8, and insert the following: "Provided that the dues of such contributing members shall in no case be less than five (5) dollars each per annum, and."

Attest: L. A. BRUNNER, *Clerk.*

The question being on concurring in said House amendment, the yeas and nays were taken, and resulted—yeas 20, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Curtiss, Dungan, Fisher, Forrest, Grove, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Lord, McDonald, Owens, Richards, Steedman, Wagener and Wilson—20.

So the Senate concurred in said amendment.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill—

S. B. No. 150—Mr. Armstrong—To amend section 4 of an act regulating the Commercial hospital of Cincinnati, passed March 11, 1861, (Ohio Laws, vol. 61, page 142,) and to repeal certain amendments thereto, passed January 26, 1875, (Ohio Laws, vol. 72, page 197).

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 25—Mr. Washburn—Supplementary to an act to provide for the appointment of commissioners to examine claims growing out of the Morgan raid, and prescribing their duties, (vol. 61, page 85, S. & S., 466).

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Jackson of Clinton moved that the constitutional rule requiring

bills to be read "on three different days" be suspended, that H. B. No. 25 may be read the second time.

On which motion, the yeas and nays were demanded, taken and resulted—yeas 19, nays 7, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carson, Curtiss, Dungan, Fisher, Forrest, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Lord, Richards, Sherrick, Steedman, Stokes, Tyler and Williams—19.

Those who voted in the negative were—

Messrs. Howland, Krimmel, Marsh, Owens, Saltzgaber, Seitz and Wagener—7.

So the motion was disagreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 337—Mr. Booth—To appropriate money to repair the public works and render them fit for navigation.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has refused to concur in Senate amendment to—

H. B. No. 46—Mr. Achauer—Supplementary to an act entitled an act for the reorganization and maintenance of common schools, passed May 1, 1873, (O. L., vol. 70, page 195).

Attest: L. A. BRUNNER, *Clerk.*

Mr. Jackson, of Perry, moved that the Senate recede from its amendment to said bill.

Which was agreed to.

Mr. Forrest submitted the following report:

The committee of Conference, to whom was referred the matter of difference between the two Houses upon Senate amendments to H. B. No. 41, having had the same under consideration, recommend as follows, viz.:

That the House of Representatives concur in the following Senate amendments: Nos. 1, 2, 10, 14, 15, 25, 26, 27, 29, 31, 32, 36, 38 and 39.

And that the Senate recede from its amendments as follows, viz.: Nos. 4, 16, 17, 21, 28, 30 and 37.

They also recommend that the Senate adopt the House amendment to Senate amendment No. 11.

They also recommend that the House recede from its amendment to

Senate amendment No. 33, and thereafter concur in the Senate amendment.

S. S. Bloom,
John C. Covert,
House Committee.

W. T. Forrest,
Irvine Dungan,
Senate Committee.

The question being on agreeing to the report of the committee, the yeas and nays were taken, and resulted—yeas 27, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—27.

So said report was agreed to.

Mr. Steedman submitted the following report:

The standing committee on Public Works, to whom was referred H. J. R. No. 52—Authorizing and requiring the Board of Public Works to take immediate possession of the public works of the State—

Having had the same under consideration, report it back, and recommend its adoption.

James B. Steedman, G. A. Grove,
Lyman J. Jackson, H. C. Lord,
G. M. Saltzgaber.

On demand of Mr. Steedman, a call of the Senate was had.

Messrs. Beer, Sherrick, and Wilson were absent.

On motion of Mr. Joy, further proceedings under the call were dispensed with.

The question being on the adoption of said joint resolution, the yeas and nays were taken, and resulted—yeas 22, nays 6, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Irvine, Joy, Krimmel, Lord, McDonald, Owens, Parker, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—22.

Those who voted in the negative were—

Messrs. Beebe, Howland, Jackson of Clinton, Kelley, Richards and Sabine—6.

So said joint resolution was adopted.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has refused to concur in the report of the Conference committee on—

H. B. No. 72—Mr. Washburn—To reorganize the Asylum for the Blind.

Attest: L. A. Brunner, *Clerk.*

Mr. Fisher moved that the Senate insist on its amendments to said bill, and request the appointment of another conference committee.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has refused to concur in the report of the commitee of Conference on—

H. B. No. 41—Mr. Booth—To amend, revise and consolidate the statutes relating to municipal corporations, to be known as title 12, part 1, of the act to revise and consolidate the general statutes of Ohio.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Seitz moved that the Senate insist on its amendments to said bill, and request the appointment of another Conference committee.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has indefinitely postponed the following bill:

S B. No. 157—Mr. Sabine—To provide for the improving and draining of roads in Montgomery township, Marion county, Ohio.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 9TH DAY OF MAY, 1878.

To the General Assembly:

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint—

Joseph F. Wright, of Hamilton county, to be superintendent of insurance for the State of Ohio, for the term of three years from June 3, 1878.

Very respectfully, RICHARD M. BISHOP, *Governor.*

On motion of Mr. Seitz, said message was referred to the committee on Insurance.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested:

H. J. R. No. 53—Mr. Greene—To authorize payment to James B. Monroe, for work done at the Soldiers' and Sailors' Orphans' Home, at Xenia, Ohio.

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Seitz, said joint resolution was referred to the committee on Claims.

Bills were read the second time and referred as follows:

H. B. No. 529—Mr. Bohl—To amend an act entitled "An act to provide for establishing an insurance department in the State of Ohio," passed March 12, 1872, as amended April 26, 1873.

To committee on Insurance.

H. B. No. 546—Mr. Clough—To allow the city council of Hamilton to enter into a contract for the furnishing of gas for the lighting of the streets, alleys and public buildings, and places therein.

To committee on Municipal Corporations.

H. B. No. 548—Mr. Van Cleaf—To amend section 3 of an act entitled "An act to reorganize the reform school for boys," passed March 21, 1878.

To committee on Reform School.

H. B. No. 552—Mr. Norton—Supplementary to an act entitled "procedure in probate court."

To committee on Judiciary.

S. B. No. 188—Mr. Dungan—To authorize the redemption of real estate hereafter sold at judicial sale.

To committee on Judiciary.

H. B. No. 370—Mr. Loder—Supplementary to the act entitled "An act to amend an act entitled 'An act to regulate the election of state and county officers,'" passed May 3, 1852, passed April 2, 1870, (vol. 67, p. 47,) and "An act supplementary to an act for the incorporation of townships," passed April 29, 1872. (vol. 69, p. 202.)

To committee on Municipal Corporations.

H. B. No. 538—Mr. Bohl—In relation to the names of insurance companies.

To the committee on Insurance.

H. B. No. 500—Mr. Greene—To amend section 2, chapter 4, and section 24, chapter 5 of title 2 of an act passed May 5, 1877, entitled "An act to amend, revise and consolidate the statutes of criminal procedure," (O. L., vol. 74, pp. 334 and 342.)

To committee on Judiciary.

H. B. No. 492—Mr. Crosson—Amendatory to an act to authorize the commissioners of Hamilton and Clermont counties to build a bridge over the Little Miami river, passed April 7, 1876, (vol. 73, O. L., p. 286); as amended March 30, 1877, (O. L., p. 424.)

To committee on Corporations other than Municipal.

Sub. for H. B. No. 511—Mr. Poe—To authorize the council of the village of West Cleveland to issue bonds and levy a tax for water works purposes.

To committee of Finance.

H. B. No. 520—Mr. Marsh—For the relief of Henry B. Barnett.

To committee on Finance.

H. B. No. 553—Mr. Kellogg—To amend section 56 of an act entitled "An act for the reorganization and maintenance of common schools," passed and took effect April 21, 1877, (O. L., vol. 74, p. 108.)

To committee on Common Schools and School Lands.

The President appointed Messrs. Saltzgaber, Armstrong and Richards, as Conference committee on H. B. No. 41, on part of the Senate.

Mr. Sherrick submitted the following report:

The committee of Conference consisting of Messrs. Sherrick, Owens and Richards, on the part of the Senate, and Messrs. Alexander, Groshner and Oglevee, on the part of the House, having been appointed to consider the matters of difference between the two Houses on H. B. No.

403—Mr. Alexander—Making appropriations for the fiscal year 1878, and the first quarter of the fiscal year 1879—

Recommend as follows:

1. That the House concur in Senate amendments Nos. 2, 9, 9*a*, 32, 33, 43, 47, 48, 50, 52, 54, 56, 65, 67*a*, 67*b*.

2. That the Senate recede from the following Senate amendment, Nos. 40, 44, 63 and 64.

3. That Senate amendment No. 45 be amended as follows: "Ordinary repairs and painting walls, four thousand dollars, ($4000.00.)"

4. That Senate amendment No. 46 be amended as follows: "For building green house, two thousand dollars, ($2000.00.)"

5. That Senate amendment No. 49 be amended as follows: "Grading and fencing, six thousand dollars, ($6000.00.)"

6. The committee fail to agree on all the other amendments and ask to be discharged.

JOHNSON SHERRICK,
R. G. RICHARDS,
JAMES W. OWENS,
On part of Senate.

H. C. GROSCHNER,
J. F. OGLEVEE,
On part of House.

The question being on agreeing to the report of the committee, the yeas and nays were taken and resulted—yeas 25, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carson, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Lord, Marsh, McDonald, Owens, Parker, Richards, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—25.

Mr. Sabine voted in the negative—1.

So the report was agreed to.

Mr. Seitz moved that a committee of Conference be requested on the remaining matters of difference between the two Houses on said H. B. No. 403.

Which was agreed to.

The President appointed Messrs. Fisher, Wagener and Beebe as Conference committee on H. B. No. 72, on part of the Senate.

On motion of Mr. Steedman, the Senate took a recess until 2½ o'clock P. M.

TWO AND ONE-HALF O'CLOCK P. M.

H. B. No. 105—Mr. Worley—To amend section 50 of an act entitled "An act for the reorganization and maintenance of common schools," passed May 1, 1873, and to repeal section 31 of an act entitled "An act to amend and supplementary to an act entitled an act to provide for the organization, supervision and maintenance of common schools," passed March 14, 1852, and acts amendatory thereto; also, supplementary to an act for the support and better regulation of common schools in the town of Akron, passed February 8, 1847, and the acts amendatory thereto; also, supplementary to an act for the better regulation of the public schools in cities, towns, etc., passed February 21, 1849, and the acts amendatory thereto.

Was read the third time.

On demand of Mr. Carson, a call of the Senate was had.

Messrs. Beer, Curtiss, Dungan, Jackson of Perry, Krimmel, Lord, Marsh, Parker, Sabine and Saltzgaber, were absent.

On motion of Mr. Forrest, the Sergeant-at-Arms was dispatched for absentees.

Messrs. Marsh, Saltzgaber, Jackson of Perry, Krimmel, Parker and Curtiss having appeared within the bar of the Senate and answered to their names—

Mr. Benson moved that further proceedings under the call be dispensed with.

Which was disagreed to.

Mr. Lord having appeared within the bar of the Senate and answered to his name—

On motion of Mr. Benson, further proceedings under the call were dispensed with.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 22, nays 8, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Jackson of Perry, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Seitz, Sherrick, Steedman, Tyler, Wagener and Williams—22.

Those who voted in the negative were—

Messrs. Beebe, Howland, Jackson of Clinton, Kelley, Richards, Sabine, Saltzgaber and Wilson—8.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has agreed to the report of Conference committee on—

S. B. No. 11—Mr. Benson—To establish the Girls' Industrial Home, and to repeal certain acts therein named.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives accedes to the request of the Senate, and has appointed Messrs. Hostetter, Haley and Wales a committee of Conference to consider the differences between the two Houses on—

S. B. No. 174—Mr. Grove—To enable the commissioners of Montgomery and Warren counties, to purchase toll roads and convert them into free roads.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 188—To authorize the redemption of real estate hereafter sold at judicial sale—

Having had the same under consideration, report it back, and recommend its passage.

W. T. FORREST, IRVINE DUNGAN,
G. M. SALTZGABER, D. WAGENER.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Seitz submitted the following report:

The standing committee on Finance, to whom was referred S. R.—Relating to an appropriation to enable the Chief Clerk to complete the records of the Senate—

Having had the same under consideration, report it back with the recommendation that it be adopted with the following amendment:

At the end of the resolution add the following:

"Provided, That in the employment of a proof reader, the Clerk is hereby required to pay the same out of the appropriation made by this resolution, and provided, further, that the Clerk is required to have the Senate Journal ready for distribution to Senators on or before the 20th day of September, 1878."

JOHN SEITZ, J. M. CARSON,
IRVINE DUNGAN, H. W. CURTISS,
J. SHERRICK.

Said amendment was agreed to.

The question being on the adoption of the resolution as amended, the yeas and nays were taken and resulted—yeas 28, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Dungan, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Kelley, Krimmel, Lord, Marsh, McDonald, Parker, Richards, Saltzgaber, Seitz, Sherrick, Steedman, Tyler, Wagener, Williams and Wilson—28.

So the resolution was adopted.

Mr. Seitz submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 540—For the relief of George W. Woodward—

Having had the same under consideration, report it back with the recommendation that it be passed.

JOHN SEITZ, J. M. CARSON,
IRVINE DUNGAN, H. W. CURTISS,
JOHN SHERRICK.

Said bill was ordered to be engrossed and read the third time on Saturday next.

Mr. Dungan submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 485—To authorize the trustees of Miami township, Hamilton county, to transfer certain funds therein named—

Having had the same under consideration, report it back, and recommend its passage.

JOHN SEITZ, IRVINE DUNGAN,
H. C. LORD, H. W. CURTISS.

Said bill was ordered to be engrossed and read the third time on Saturday next.

Mr. Curtiss submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 504—To amend an act entitled "An act to authorize the city of Cleveland to fund certain railroad stocks," passed April 28, 1862, (Vol. 59, p. 126).—

Having had the same under consideration, report it back and recommend its passage.

H. W. CURTISS, JOHN SEITZ,
H. C. LORD, J. M. CARSON.

Said bill was ordered to be engrossed and read the third time on Saturday next.

Mr. Carson submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 438—To authorize the commissioners of Muskingum county to borrow money and build a county infirmary—

Having had the same under consideration, report it back, with the recommendation that it be passed.

J. Sherrick, J. M. Carson,
Irvine Dungan, H. W. Curtiss,
H. C. Lord.

Said bill was ordered to be engrossed and read the third time on Saturday next.

Mr. Lord submitted the following report:

The standing committee on Public Works and Public Lands, to whom was referred S. B. No. 182—Providing for the leasing of the Public Works of the State of Ohio—

Having had the same under consideration, report it back, with following amendments, and recommend its passage when so amended:

1. In line 3, section 1, fill the blank with the word "twenty."

2. In line 8, section 1, after the word "lockhouses" insert the word "lands."

3. In line 10, section 1, after the word "have" insert the words "and use or lease."

4. In line 2, section 2, after the word "rights" insert the word "remedies."

5. In line 5, section 2, after the word "same" insert the words, "to collect water rents due on leases of water power, and to enforce the putting in of gauges, as provided in said leases."

6. In line 24, section 2, strike out the words "Miami and Erie canal," and insert the words "public works."

7. In line 2, section 3, strike out the words "for sealed proposals."

8. In line 4, section 3, fill out the blank with the word "twenty."

9. In line 6, section 3, strike out the words "day of" between the two blanks, and insert the words "first Monday of September, A. D., 1878."

10. In line 9, section 3, after the word "aforesaid" insert the words "for ninety days," and in line 10, section 3, strike out the word "until," and insert the word "before"

11. In lines 12 and 13 fill the blanks by inserting the words "first Monday of September."

16. In line 15, section 3, fill out the blank with the word "twenty."

17. In line 27, section 3, strike out the words "one hundred thousand" and substitute the words "fifty thousand."

18. In line 28, section 5, fill the blank with the word "ten."

19. In lines 32 and 33, section 5, strike out the words "in good securities drawing interest at a rate not less than —— per cent. per annum," and insert the words "in bonds either of the United States or the State of Ohio."

20. In line 2, section 6, strike out the word "him" and substitute the word "them."

21. In line 29, section 6, after the words "of the" insert the words "common pleas," and in line 30 after the word "court" insert the words "of Franklin county."

22. After the word "works" in line 2, section 7, insert the words "together with all rights, remedies and franchises therein."

23. Strike out section 8, it being but a repetition verbatim of the first 18 lines of section 2.

24. In line 9, section 10, after the word "leased" insert the words "in writing," and in line 10 strike out the word "convert" and substitute the word "correct."

25. In line 15, setion 10, after the word "has" insert the words "to shut off water from lessees when rent has been overdue thirty days, and keep it shut off until such rent is paid, and."

26. In line 2, section 12, strike out the word "this" and substitute the word "any."

27. In all cases where the word "lessee" occurs in the bill substitute the word "lessees."

28. In section 3, after the word "state," in line 3, strike out the words "provided further that no railroad company shall in any manner become a party to said bid, or to be interested therein or in said lease."

J. B. STEEDMAN, H. C. LORD,
G. M. SALTZGABER, LYMAN J. JACKSON.
G. W. WILSON.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time to-morrow.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has reconsidered the vote by which it refused to agree to the report of the Conference committee on—

H. B. No. 41—Mr. Booth—To amend, revise and consolidate the statutes relating to municipal corporations, to be known as title 12, part 1 of the act to revise and consolidate the general statutes of Ohio—

And have concurred in said report.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Carson submitted the following report:

The standing committee on Common Schools, to whom was referred H. B. No. 533—To amend section 56 of an act entitled "An act for the reorganization and maintenance of common schools," passed and took effect April, 21, 1877, (O. L. v. 74, p. 108)—

Having had the same under consideration, report it back and recommend its passage.

R. G. RICHARDS, G. A. GROVE,
D. WAGENER, J. M. CARSON.

Said bill was ordered to be engrossed and read the third time on Saturday next.

Mr. Carlisle submitted the following report:

The standing committee on Roads and Highways, to whom was referred H. B. No. 158—To amend section 9 of an act entitled "An act to authorize the board of county commissioners to lay out and establish free turnpike roads, and to repeal certain acts therein named," March 29, 1875, (Sayler's Statutes, v. 4, p. 3460)—

Having had the same under consideration, report it back, and recommend its indefinite postponement.

B. W. CARLISLE, J. B. WILLIAMS,
J. C. MCDONALD, JOHN H. BENSON,
THOS. S. JACKSON, LINDSEY KELLEY,
C. S. PARKER.

The report of the committee was disagreed to.

Mr. Seitz moved that the bill be engrossed and read the third time to-morrow.

Which was agreed to.

Mr. Saltzgaber submitted the following report:

The committee appointed on the part of the Senate as a Conference committee on the differences between the House and Senate on—

H. B. No. 41—By Mr. Booth—Report that the House has reconsidered its action, and has concurred in the report of the former Conference committee, and they therefore ask to be discharged from further consideration of said matter.

G. M. SALTZGABER, R. G. RICHARDS,
J. M. ARMSTRONG.

Said report was agreed to.

Mr. Dungan submitted the following report:

The standing committee on Finance, to whom was referred S. R. No. 45—To rescind S. R. No. 21—

Having had the same under consideration, report it back, and recommend its passage.

IRVINE DUNGAN, JOHN SEITZ,
H. C. LORD, J. M. CARSON,
J. SHERRICK, H. W. CURTISS.

The question being on the adoption of the said resolution, the yeas and nays were taken, and resulted—yeas 28, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Tyler, Wagener, Williams and Wilson—28.

Mr. Steedman voted in the negative—1.

So the resolution was adopted.

Mr. Dungan submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 388—To amend the third section of an act passed April 6, 1876, entitled an act supplementary to an act supplementary to an act to provide for the organization and government of municipal corporations, passed April 27, 1872, (vol, 73, p. 108)—

Having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended:

In section 2 strike out all after the word "provided" and insert the words "that this act shall not be so construed as to authorize an increase of the tax levy for municipal purposes, above the maximum limit now fixed by law."

IRVINE DUNGAN, H. C. LORD,
J. SHERRICK, JOHN SEITZ,
J. M. CARSON, H. W. CURTISS.

Said amendment was agreed to, and the bill was ordered to be engrossed, and read the third time on Saturday next.

Mr. Dungan submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 503—To legalize certain bonds issued by the commissioners of Butler county, and to authorize the payment thereof—

Having had the same under consideration, report it back, and recommend its passsage.

IRVINE DUNGAN, JOHN SEITZ,
H. C. LORD, J. M. CARSON,
J. SHERRICK, H. W. CURTISS.

Said bill was ordered to be engrossed, and read the third time on Saturday next.

Mr. Dungan submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 513—To authorize the commissioners of Tuscarawas county to make an additional levy for county purposes—

Having had the same under consideration, report it back, and recommend its passage.

IRVINE DUNGAN, J. M. CARSON,
H. C. LORD, H. W. CURTISS.

Said bill was ordered to be engrossed and read the third time on Saturday next.

Mr. Dungan submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 419—For the relief of Joseph D. Philbrick and his sureties, treasurer of McDonald township, Hardin county, Ohio—

Having had the same under consideration, report it back and recommend its passage.

IRVINE DUNGAN, JOHN SEITZ,
H. C. LORD, J. M. CARSON,
J. SHERRICK, H. W. CURTISS.

Said bill was ordered to be engrossed, and read the third time on Saturday next.

Mr. Carson submitted the following report:

The standing committee on Common Schools and School Lands, to whom was referred H. B. No. 323—To amend section 93 of an act entitled "An act for the reorganization and maintenance of common schools," passed May 1, 1873—

Having had the same under consideration, report it back with the following amendment, and recommend its passage when so amended:

In line 8 section 1 strike out the following words, "including at the option of the examiners."

J. M. CARSON, R. G. RICHARDS,
D. WAGENER, G. A. GROVE.

Said amendment was agreed to, and the bill was ordered to be engrossed and read the third time on Saturday next.

Mr. Richards submitted the following report:

The standing committee on Common Schools, to whom was referred H. B. No. 381—To authorize the board of school directors of the special school district, Jefferson township, Guernsey county, Ohio, to levy an additional tax—

Having had the same under consideration, report it back, and recommend its passage.

J. M. CARSON, D. WAGENER,
R. G. RICHARDS, G. A. GROVE.

Said bill was ordered to be engrossed and read the third time on Saturday next.

Mr. Richards submitted the following report:

The standing committee on Common Schools, to whom was referred H. B. No. 439—To create a sub-school district in Madison township, Clark county, Ohio—

Having had the same under consideration, report it back and recommend its passage.

G. A. GROVE, R. G. RICHARDS,
D. WAGENER, J. M. CARSON.

Said bill was ordered to be engrossed, and read the third time on Saturday next.

Mr. Grove submitted the following report:

The standing committee on Reform School and Industrial School for Girls, to whom was referred H. B. No. 548—To amend section 3 of an act entitled "An act to reorganize the Reform School for Boys" passed March 21, 1878—

Having had the same under consideration, report it back and recommend its passage.

G. A. GROVE, IRVINE DUNGAN,
B. W. CARLISLE, R. G. RICHARDS,
JOHN SEITZ, LYMAN J. JACKSON.

Said bill was ordered to be engrossed and read the third time tomorrow.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has reconsidered the vote by which it refused to agree to the report of the Conference committee on—

H. B. No. 72—Mr. Washburn—To reorganize the Asylum for the Blind—And have agreed to said report.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has reconsidered the vote by which it refused to agree to the report of the Conference committee on—

H. B. No. 96—Mr. Williams—To reorganize the Institution for the education of the Deaf and Dumb—And have agreed to said report.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Grove submitted the following report:

The joint committee of Conference, to whom was referred the matter of difference between House and Senate on S. B. No. 174—

Having had the same under consideration, report it back and recommend that the Senate concur in the House amendments.

S. A. HOSTETTER,
JOHN HALEY,
G. M. WALES,
House Committee.

G. A. GROVE,
J. B. WILLIAMS,
THOS. S. JACKSON,
Senate Committee.

The question being on agreeing to the report of the committee, the yeas and nays were taken and resulted—yeas 23, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carson, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Marsh, McDonald, Parker, Richards, Saltzgaber, Sherrick, Steedman, Wagener, Williams and Wilson—23.

So the report was agreed to.

Mr. Krimmel submitted the following report:

The standing committee on Benevolent Institutions, to whom was referred H. B. No. 480—To amend section 1 of an act entitled "An act for the relief of the benevolent and charitable associations, managed by women," passed March 30, 1864—

Having had the same under consideration, report it back and recommend its passage.

C. F. KRIMMEL, B. W. CARLISLE,
G. A. GROVE, H. W. CURTISS,
GEO. P. TYLER.

Said bill was ordered to be engrossed, and read the third time on Saturday next.

Mr Saltzgaber submitted the following report:

The standing committee on Salaries and Fees of Public Officers, to whom was referred amended H. B. No. 6—Limiting the compensation of certain officers therein named—

Having had the same under consideration, report it back, with the following amendments, and recommend the adoption of the amendments, and without further recommendation:

Strike out all of section 1 and insert the following:

"SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the fees, costs, percentages, penalties, allowances and all other perquisites of whatever kind, which by any law the clerk of any court, probate judge, sheriff, either as such or as a special master commissioner or receiver in any case, treasurer, and recorder, in every county in this State having a population of more than 100,000, and less than 200,000 inhabitants, as shown by the last Federal census, is or may hereafter be authorized to charge, receive, and for any official services rendered by him or them, shall hereafter be received and collected by the said officers, respectively, to and for the sole use of the county treasury of their respective counties, as public money, belonging to said counties, and not otherwise, and shall be accounted for and paid over as such in the manner hereinafter provided."

In section 3 line 3 strike out the word "Auditor."

In section 5 line 9 after the word "treasurer" strike out the word "four" and insert "five."

In lines 9 and 10 strike out the words "auditor, four thousand dollars."

Strike out all of section 10.

In section 20 strike out the word "April" and insert "September."

G. M. SALTZGABER, JOHN SEITZ,
THEO. MARSH, G. W. WILSON,
JAMES B. STEEDMAN, H. SABINE,
JOHN H. BENSON.

Informally passed

Mr. Grove submitted the following report:

The committee on Conference, to whom was referred the subject matter of difference between the two Houses, on House amendments to S. B. No. 148—

Having had the same under consideration, recommend that the House recede from its amendments.

G. A. GROVE,
W. P. HOWLAND,
C. S. PARKER,
Senate Committee.

C. R. HARMON,
H. P. CLOUGH,
House Committee.

Said report was agreed to.

Mr. Armstrong submitted the following report:

The standing committee on Claims, to whom was referred H. J. R. No. 53—To authorize payment to James B. Monroe for work done in Soldiers' and Sailors' Orphans' Home—

Having had the same under consideration, report it back, and recommend its adoption.

J. M. ARMSTRONG, J. B. WILLIAMS,
J. C. MCDONALD, C. S. PARKER,
G. A. GROVE, D. D. BEEBE.

The question being on the adoption of the joint resolution, the yeas and nays were taken, and resulted—yeas 28, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Seitz, Steedman, Tyler, Wagener, Williams and Wilson—28.

So said joint resolution was adopted.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 544—To authorize the village of Minster, in the county of Auglaize, to issue bonds for the purpose therein named—

Having had the same under consideration, report it back without recommendation.

THEO. MARSH, G. M. SALTZGABER,
G. A. GROVE, LYMAN J. JACKSON,
JAMES B. STEEDMAN.

Said bill was ordered to be engrossed and read the third time on Saturday next.

Mr. Jackson of Perry, moved that S. B. No. 163 be taken from the table.

Which was agreed to.

On demand of Mr. Forrest, a call of the Senate was had.

Messrs. Beer, Curtiss, Lord, Sabine and Sherrick were absent.

On motion of Mr. Forrest, further proceedings under the call were dispensed with.

Leave of absence was asked and obtained for Messrs. Lord and Beer for this afternoon.

Said S. B. No. 163 was then read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 27, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Kelley, Krimmel, Lord, Marsh, McDonald, Parker, Richards, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Williams and Wilson—27.

So the bill was passed. The title was agreed to.

Mr. Marsh moved that H. B. No. 514 be taken from the table.

Which was agreed to.

Said bill was ordered to be placed upon the calendar for third reading on Saturday next.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bill has been introduced in the House of Representatives and read the first time:

H. B. No. 554—Mr. Bohl—To provide for the payment of certain expenses incurred by investigating committees of the House and Senate.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Benson moved that sub. for H. B. No. 106 be taken from the table.

Which was disagreed to.

Mr. Dungan moved to take from the table H. B. No. 109.

Which was disagreed to.

The President appointed Messrs. Lord, Jackson of Perry and Curtiss as Conference committee on H. B. No. 403, on part of the Senate.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has agreed to the report of the Conference committee on—

S. B No. 148—Mr. Grove—Relating to offences against chastity and morality.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Seitz moved that S. B. No. 180 be taken from the table.

Which was agreed to.

On demand of Mr. Saltzgaber, a call of the Senate was had.

Messrs. Curtiss, Forrest, Grove, Jackson of Perry, Krimmel and Sherrick were absent.

On motion of Mr. Saltzgaber, the Sergeant-at-Arms was dispatched for absentees.

Mr. Sherrick appeared within the bar of the Senate and answered to his name.

On motion of Mr. Marsh, further proceedings under the call were dispensed with.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 12, nays 13, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Dungan, Fisher, Jackson of Clinton, Jackson of Perry, Joy, Kelley, McDonald, Saltzgaber, Seitz, Sherrick, and Steedman—12.

Those who voted in the negative were—

Messrs. Beebe, Benson, Carlisle, Carson, Grove, Marsh, Owens, Parker, Sabine, Stokes, Tyler, Wagener and Williams—13.

So the bill, having failed to receive a constitutional majority, was lost.

Mr. Joy moved that H. B. No. 396 be taken from the table.

Which was agreed to.

Said bill was ordered to be placed on the calendar for third reading on Saturday next.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested:

H. J. R. No. 55—Mr. Alexander, from committee on Finance—As to employing convict labor for the construction of a certain building.

Attest: L. A. BRUNNER, *Clerk.*

The question being on the adoption of said joint resolution, the yeas and nays were taken and resulted—yeas 18, nays 5, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Fisher, Grove, Jackson of Clinton, Jackson of Perry, Kelley, Marsh, Owens, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes and Tyler—18.

Those who voted in the negative were—

Messrs. Dungan, Forrest, Joy, Seitz and Wagener—5.

So said joint resolution was adopted.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 554—Mr. Bohl—To provide for the payment of certa expenses incurred by investigating committees of the House and Senat

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has refused to agree to the report of the Conference committee on—

H. B. No. 403—Mr. Alexander—Making appropriations for the year 1878 and for the first quarter of 1879—

And accedes to the request of the Senate, and has appointed Messrs. Booth, Van Cleaf and Hitchcock a Conference committee to consider the differences existing between the two Houses on said bill.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has agreed to the report of the Conference committee on—

S. B. No. 174—Mr. Grove—To enable the commissioners of Montgomery and Warren counties to purchase toll roads, and convert the same into free roads.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 179—Mr. Hitchcock, from committee on Finance—To authorize the trustees of the Christian Benevolent Society, of Munson township, Geauga county, Ohio, to sell certain lands.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

H. B. No. 141—Mr. Jackson of Perry—To change the common pleas districts of the state, and to give greater efficiency to the common pleas and district courts—

With the following amendments—

At the end of section 8 add the following:

"And from and after said time, final judgments and orders of said superior court may be reversed, vacated or modified by said district court, in the same manner and by like proceedings as judgments and orders of the court of common pleas."

At the end of the title add the following:

"And to repeal certain parts of an act therein named."

In line 2 of the title, between the words "pleas" and "district," insert the word "and."

Attest: L. A. BRUNNER, *Clerk.*

The question being on concurring in said House amendments, the yeas and nays were taken and resulted—yeas 25, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Kelley, Marsh, McDonald, Owens, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—25.

So the Senate concurred in said amendments.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

H. B. No. 399—Mr. Bull—To establish a voting precinct in the townships of Hanover and Green, in the county of Ashland, Ohio, in which the incorporated village of Loudonville is the boundary of said asked for precinct and is situate therein, and all that portion of section 35, and all of section 36 not now included in said corporate limits, shall be a part of said precinct, for election purposes only.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bill.

Mr. Dungan submitted the following report:

The standing committee on Corporations other than Municipal, to whom was referred H. B. No. 492—Amendatory to an act to authorize the commissioners of Hamilton and Clermont counties to build a bridge over the Little Miami river, passed April 7, 1876, (v. 73, O. L., p. 286); as amended March 30, 1877, (O. L., p. 424)—

Having had the same under consideration, report it back, and recommend its passage.

GEO. P. TYLER, LYMAN J. JACKSON,
R. G. RICHARDS, J. M. ARMSTRONG.

Said bill was ordered to be engrossed, and read the third time on Saturday next.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

Sub. for S. B. No. 4—Mr. Jackson of Perry—To regulate the payment of indebtedness of mining companies and corporations to employes for work and labor.

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Joy, the Senate adjourned until 9 o'clock to-morrow morning.

Attest: ALLEN O. MYERS, *Clerk.*

FRIDAY, MAY 10, 1878—9 o'clock A. M.

The Senate met pursuant to adjournment.
The Journal was read and approved.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bill has been introduced in the House of Representatives and read the first time:

H. B. No. 555—Mr. Meuser—Providing for the printing and distribution of the municipal code, and making additional appropriation for the printing and distribution of the laws.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 555—Mr. Meuser—Providing for the printing and distribution of the municipal code, and making additional appropriation for printing and distribution of the laws.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Johnston presented the memorial of the council of the city of Youngstown, Mahoning county, asking for the authority to invest a portion of the sinking fund of said city in school bonds of said city.

Which was referred to the committee on Municipal Corporations.

Mr. Johnston asked leave to have his vote recorded on H. B. No. 81.

Which was granted.

The Clerk called the name of Mr. Johnston on said bill, and he voted "no."

Bills were read the second time and referred as follows:

H. B. No. 25.—Mr. Washburn—Supplementary to "An act to provide for the appointment of commissioners to examine claims growing out of the Morgan Raid, and prescribing their duties," (Vol. 61, p. 85; S. & S., 466).

To committee on Claims

H. B. No. 337—Mr. Booth—To appropriate money to repair the public works and render them fit for navigation.

To committee on Public Works and Public Lands.

H. B. No. 554—Mr. Bohl—To provide for the payment of certain expenses incurred by investigating committees of the House and Senate.

To committee on Finance.

H. B. No. 179—Mr. Hitchcock, from committee on Finance—To authorize the trustees of Munson township, Geauga county, Ohio, to sell certain lands.

To committee on Finance.

Mr. Richards moved that S. B. No. 183 be taken from the table.

Which was agreed to.

Said bill was then read the third time.

Mr. Richards moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out all of section 2.

Mr. Richards moved that said bill and pending amendments be laid upon the table.

Which was agreed to.

H. B. No. 158—Mr. Crosley—To amend section 9 of an act entitled "An act to authorize the board of county commissioners to lay out and establish free turnpike roads, and to repeal certain acts therein named," passed March 29, 1875, (Sayler's Statutes, v. 4, p. 3460).

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 20, nays 5, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlisle, Carson, Dungan, Fisher, Grove, Howland, Jackson of Clinton, Kelley, Krimmel, Marsh, McDonald, Richards, Sabine, Seitz, Steedman, Stokes, Tyler and Wilson—20.

Those who voted in the negative were—

Messrs. Benson, Johnston, Owens, Sherrick and Williams—5.

So the bill was passed. The title was agreed to.

H. B. No. 548—Mr. Van Cleaf—To amend section 3 of an act entitled "An act to reorganize the Reform School for Boys," passed March 21, 1878.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 19, nays 3, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Dungan, Fisher, Grove, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—19.

Those who voted in the negative were—

Messrs. Howland, Johnston and Wilson—3.

So the bill was passed. The title was agreed to.

Mr. Howland moved to take from the table the motion to reconsider the vote whereby H. B. No. 145 was passed.

Which was agreed to.

The question recurring on the motion to reconsider said vote whereby said bill was passed—

The same was agreed to.

The question being on Mr. Johnston's motion to reconsider the vote whereby Mr. Forrest's amendment to said bill was agreed to.

The same was disagreed to.

Mr. Howland moved to refer the bill to a select committee of one, with instructions to amend as follows:

Insert after section 2, the following:

SEC. 3. Whenever any Texas or Cherokee cattle, liable to impart said disease, shall be brought into the state of Ohio, and any such disease as "Texas or Spanish fever" shall make its appearance within sixty days, and infect other cattle with said disease, that have been on the same highway, common or pasture ground traveled over by such Texas or Cherokee cattle, such fact shall be deemed and taken as prima facie evidence in actions to recover damages that said Texas or Cherokee cattle were infected with the disease known as the "Texas or Spanish fever," and that they did impart said disease, and the owner or owners of said Texas or Cherokee cattle, at the time of the bringing of said

cattle into the state, and the owner or owners of said cattle at the time said disease shall make its appearance, shall be jointly or severally liable for any damages resulting from said disease.

Make section 3 section 4.

Which was agreed to, and Mr. Howland was appointed such committee.

Mr. Howland, on leave, submitted the following report:

The select committee of one, to whom was referred H. B. No. 145, with instructions to amend, reports the same back amended as instructed.

W. P. Howland.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 19, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Benson, Carlisle, Fisher, Howland, Jackson of Clinton, Johnston, Kelley, Marsh, McDonald, Owens, Parker, Richards, Seitz, Steedman, Tyler, Wagener, Williams and Wilson—19.

Those who voted in the negative were—

Messrs. Armstrong and Krimmel—2.

So the bill was passed.

Mr. Howland moved to amend the title as follows:

Insert after the words "and providing for" the words "the punishment of and."

Which was agreed to.

The title, as amended, was then agreed to.

S. B. No. 188—Mr. Dungan—To authorize the redemption of real estate hereafter sold at judicial sale.

Was read the third time.

Mr. Wilson moved to refer the bill to a select committee of one, with instructions to amend as follows:

In section 1, line 7, between the words "purchaser" and "and" insert the words "not exceeding the amount of said interest."

In section 4, line 3, strike out the word "his" and insert the words "the debtor's heirs," and between the words "executors" and "administrators" insert the word "and," and strike out all of said section after the word "administrators."

Strike out all of section 5, and renumber the sections consecutively.

Mr. Seitz moved that said amendments be voted upon separately.

Which was agreed to.

The question being on agreeing to the first of said proposed amendments.

The same was agreed to.

The question being on agreeing to the second proposed amendment, the yeas and nays were demanded, taken, and resulted—yeas 14, nays 11, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Carlisle, Carson, Forrest, Jackson of Clinton, Johnston, Kelley, Marsh, Owens, Parker, Richards, Sabine, Stokes and Wilson—14.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Dungan, Fisher, Irvine, Joy, Krimmel, McDonald, Seitz, Steedman and Tyler—11.

So said amendment was agreed to.

The question being on the third proposed amendment, "striking out all of section 5," the yeas and nays were demanded, taken, and resulted—yeas 11, nays 18, as follows:

Those who voted in the affirmative were—
Messrs. Beebe, Carson, Howland, Johnston, Kelley, Marsh, Owens, Parker, Richards, Sabine and Wilson—11.
Those who voted in the negative were—
Messrs. Armstrong, Benson, Carlisle, Dungan, Fisher, Forrest, Irvine, Jackson of Clinton, Jackson of Perry, Joy, Krimmel, McDonald, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—
So said amendment was disagreed to.
Mr. Wilson was appointed as such select committee.
Mr. Wilson, on leave, submitted the following report:
The select committee of one, to whom was referred S. B. No. 188, with instructions to amend, reports the same back amended as instructed.

G. W. Wilson.

Mr. Johnston moved to have the bill referred to a select committee of one with instructions to amend as follows:
Add, at the end of Sec. 5, the following: "Provided that this act shall not apply to contracts now existing, or indebtedness created prior to the passage thereof."
On which motion the yeas and nays were demanded, taken, and resulted—yeas 13, nays 14, as follows:
Those who voted in the affirmative were—
Messrs. Armstrong, Beebe, Grove, Howland, Jackson of Clinton, Johnston, Kelley, Marsh, Owens, Parker, Sabine, Wagener and Wilson—13.
Those who voted in the negative were—
Messrs. Benson, Carson, Dungan, Fisher, Forrest, Irvine, Joy, Krimmel, McDonald, Seitz, Steedman, Stokes, Tyler and Williams—14.
So the motion was disagreed to.
Mr. Owens moved to refer the bill to a select committee of one, with instructions to amend as follows:
After the word "pursuance," in line 6, Sec. 1, add: "and also any damages that accrue to the purchaser, by reason of being so dispossessed."
On which motion, the yeas and nays were demanded, taken and resulted—yeas 10, nays 16, as follows:
Those who voted in the affirmative were—
Messrs. Beebe, Howland, Jackson of Clinton, Johnston, Kelley, Marsh, Owens, Parker, Sabine and Wilson—10.
Those who voted in the negative were—
Messrs. Armstrong, Carlisle, Carson, Dungan, Fisher, Forrest, Irvine, Joy, Krimmel, McDonald, Seitz, Steedman, Stokes Tyler, Wagener and Williams—16.
So the motion was disagreed to.
Mr. Johnston moved to refer the bill to a select committee of one with instructions to amend as follows:
In line 4, Sec. 1, between the words "therefor" and "and," insert the following: "the improvements made thereon."
On which motion, the yeas and nays were demanded, taken and resulted—yeas 11, nays 15, as follows:
Those who voted in the affirmative were—
Messrs. Beebe, Carson, Howland, Jackson of Clinton, Johnston, Kelley, Marsh, Owens, Parker, Sabine and Wilson—11.
Those who voted in the negative were:
Messrs. Armstrong, Benson, Carlisle, Dungan, Fisher, Forrest, Irvine,

Joy, Krimmel, McDonald, Seitz, Steedman, Stokes, Tyler and Williams —15.

So the motion was disagreed to.

On demand of Mr. Dungan, a call of the Senate was had.

Messrs. Lord, Jackson of Perry and Curtiss were excused for absence, they being absent on Conference committee duty.

Messrs. Beer, Saltzgaber and Sherrick were absent.

Mr. Owens moved that further proceedings under the call be dispensed with.

Which was disagreed to.

Mr. Seitz moved that the sergeant-at arms be dispatched for absentees.

Which was disagreed to.

Mr. Johnston moved that further proceedings under the call be dispensed with.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 12, nays 12, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Howland, Jackson of Clinton, Johnston, Kelley, Marsh, Owens, Parker, Richards, Sabine, Stokes and Wilson—12.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Dungan, Fisher, Forrest, Irvine, Joy, McDonald, Seitz, Steedman and Tyler—12.

So the motion was disagreed to.

Messrs. Jackson of Perry, Lord and Curtiss having appeared within the bar of the Senate and answered to their names—

On motion of Mr. Forrest, further proceedings under the call were dispensed with.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 18, nays 11, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Irvine, Joy, Krimmel, Lord, McDonald, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—18.

Those who voted in the negative were—

Messrs. Beebe, Howland, Jackson of Clinton, Johnston, Kelley, Marsh, Owens, Parker, Richards, Sabine and Wilson—11.

So the bill was passed. The title was agreed to.

On motion of Mr. Seitz, the Senate took a recess.

THREE O'CLOCK P. M.

Mr. Sherrick, on leave, submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 179—To authorize trustees of the Christian Benevolent society of Munson twnship, Geauga county, Ohio, to sell certain lands—

Having had the same under consideration, report it back, and recommend its passage.

J. Sherrick, John Seitz,
J. M. Carson, Irvine Dungan

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Richards submitted the following report:

The joint committee on Enrollment have examined and found correctly enrolled the following bills:

H. B. No. 535—Requiring clerks of the courts of common pleas to provide poll books and tally sheets for elections.

H. B. No. 354—To create a special school district in Sycamore township, Hamilton county, O.

H. B. No. 455—To authorize the council of the incorporated village of Clyde to issue bonds to purchase steam fire engine and fire apparatus.

J. W. WASHBURN, F. M. CARTER,
DUNCAN DOW, C. R. HARMON,
E. S. PERKINS, J. R. JOHNSTON,
R. G. RICHARDS.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 101—Mr. Forrest, with the following amendments, in which the concurrence of the Senate is requested.

In line 19, Sec. 1, after the word "state," insert "for such period."

Line 20, same section, after the word "state," insert "not to exceed one year."

Same line, strike out "have authority to." At the end of line add "such."

In line 21, strike out the words "the best interests" and "demand," and, at the end of line, add "be necessary to secure the same."

After Sec. 2, line 22, add the following: "said original section three is hereby repealed, and."

Attest: L. A. BRUNNER, *Clerk.*

The question being on concurring in said House amendments, the yeas and nays were taken, and resulted—yeas 23, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Curtiss, Dungan, Fisher, Forrest, Howland, Jackson of Clinton, Joy, Kelley, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Stokes, Tyler, Wagener Williams and Wilson—23.

So the Senate concurred in said amendments.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

Amended S. B. No. 6—Mr. Forrest—To prescribe the duties of county commissioners in counties containing cities of the first class, having a population exceeding 180,000—

With the following amendments, in which the concurrence of the Senate is requested:

In Sec. 2, line 18, insert, after the word "attend," the following: "The

county auditor shall be the clerk of the board, and personally attend to the duties thereof, but if he refuses or neglects to do so, then."

In line 13, Sec. 2, strike out "5" and insert "4."

Attest: L. A. BRUNNER, *Clerk.*

The question being on concurring in said House amendments, the yeas and nays were taken, and resulted—yeas 23, nays none as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carson, Dungan, Fisher, Forrest, Howland, Jackson of Clinton, Joy, Kelley, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Stokes, Tyler, Wagener, Williams and Wilson—23.

So the Senate concurred in said amendments.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 119—Mr. Swaim—To amend and revise the statutes relating to elections, to be known as title fourteen, part one, of the act to revise and consolidate the general statutes of the state of Ohio.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Sherrick moved that the constitutional rule requiring bills to be read "on three different days" be suspended that H. B. No. 119 may be read the second time.

On which motion the yeas and nays were taken, and resulted—yeas 27, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Joy, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—27.

So the motion was agreed to, and said bill was read the second time, and, on motion of Mr. Fisher, was referred to the committee on the Judiciary.

Mr. Dungan submitted the following report:

The standing committee on Corporations other than Municipal, to whom was referred H. B. No. 420—Authorizing the trustees of cemeteries of the village of Kenton, Hardin county, Ohio, to remove dead bodies from the cemeteries in said village—

Having had the same under consideration, report it back, and recommend its passage.

IRVINE DUNGAN, GEORGE P. TYLER,
R. G. RICHARDS, J. R. JOHNSTON,
J. M. ARMSTRONG.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Saltzgaber submitted the following report:

The committee on Revision has examined, and found correctly engrossed, Sub. for H. B. No. 145—

G. M. Saltzgaber,
J. C. Fisher,
J. M. Carson.

Mr. Saltzgaber submitted the following report:

The committee on Revision as examined, and found correctly engrossed, S. B. No. 188—Mr. Dungan.

G. M. Saltzgaber,
J. C. Fisher,
J. M. Carson.

Mr. Krimmel submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled the following bills:

S. B. No. 149—An act to authorize the board of trustees of the Cincinnati hospital to establish a branch hospital for the accommodation of persons afflicted with contagious diseases.

S. B. No. 150—An act to amend section four of "an act regulating the Commercial Hospital of Cincinnati," passed March 11th, 1861 (O. L., v. 61, p. 142), and to repeal certain amendments thereto, passed January 26th, 1875 (O. L., v. 72, p. 197).

H. B. No. 399—To establish a voting precinct in the townships of Hanover and Green, in the county of Ashland, Ohio, in which the incorporated village of Loudonville is the boundary of said asked for precinct, is situate therein, and all that portion of section thirty-five, and all of section thirty-six not now included in said corporate limits, shall be a part of said precinct, for election purposes only.

J. W. Washburn, A. D. Marsh,
Wm. Jessup, Duncan Dow,
C. R. Harmon, E. S. Perkins.

Mr. Joy submitted the following report:

The standing committee on Penitentiary, to whom was referred S. R. No. 56—Providing an investigation as to whether the law providing for one guard from each county in the state had been complied with—

Beg leave to submit the following report:

After careful examination find that the warden and directors of the Ohio Penitentiary have carried out the provisions of the law, as fast, and as far as practiable, for the safety of the institution.

D. Joy, Theo. Marsh,
H. Sabine, George P. Tyler,
Wm. H. Stokes.

Said report was agreed to.

Mr. Joy presented the remonstrance of H. B. Green and 30 other citizens of Hancock county against the uniting of school district No. 9 with Union school district.

Which was referred to the committee on Common Schools.

Mr. Joy presented the petition of Ezra Brown and 200 other citizens of Hancock county—Praying for the uniting of school district No. 9 with Union school district—

Which was referred to the committee on Common Schools.

Mr. Armstrong submitted the following report:

The standing committee on Claims, to whom was referred H. B. No. 25—Supplementary to "an act to provide for the appointment of commissioners to examine claims growing out of the Morgan Raid, and prescribing their duties—

Having had the same under consideration, report it back, and recommend its passage.

J. M. Armstrong, G. A. Grove,
J. C. McDonald, H. Sabine,
J. B. Williams, D. D. Beebe.

Said bill was ordered to be engrossed and read the third time to-morrow.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled the following bill:

S. B. No. 7—To authorize certain courts to appoint stenographers.

Irvine Dungan, R. G. Richards,
J. R. Johnston, C. F. Krimmel,
Wm. Jessup, F. M. Carter.

On account of sickness, Mr. Jackson, of Perry, was relieved from serving on the Conference committee on H. B. No. 403, and the President appointed Mr. Fisher in his stead.

Mr. Steedman submitted the following report:

The standing committee on Public Works and Public Lands, to whom was referred H. B. No. 337—To appropriate money to repair the public works and render them fit for navigation—

Having had the same under consideration, report it back, with following amendment, and recommend its passage when so amended:

At the end of section 1 add the following, "provided, that not exceeding twenty thousand dollars of said sum may be used in leasing or purchasing the necessary dredge and other boats, implements, tools, horses and mules required to keep said works in repair; and out of the receipts on account of tolls, fines, and water rents of the public works the board may draw from the treasury and use any additional amount of money necessary to keep the public works in repair and to pay the salaries of superintendents, collectors, lock tenders, and other employes. In case the board should lease the public works any property authorized to be purchased hereby may be sold in the manner heretofore provided by law."

James B. Steedman, G. W. Wilson,
G. M. Saltzgaber, G. A. Grove.

Said amendment was agreed to.

On demand of Mr. Steedman a call of the Senate was had.

Messrs. Beer, Carlisle, Dungan, Fisher, Jackson of Perry and Sherrick were absent.

On motion of Mr. Steedman the Sergeant-at-Arms was dispatched for absentees.

Messrs. Sherrick, Curtiss and Carlisle having appeared within the bar of the Senate, and answered to their names—

On motion of Mr. Steedman further proceedings under the call were dispensed with.

Mr. Steedman moved that the constitutional rule requiring bills to be read "on three different days" be suspended that H. B. No. 337 may be read the third time.

On which motion the yeas and nays were taken, and resulted—yeas 29, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson —29.

So the motion was agreed to, and said bill was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 27, nays 3, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Fisher, Grove, Howland, Irvine. Jackson of Clinton, Joy, Kelley, Krimmel-Lord, Marsh, McDonald, Owens, Richards, Saltzgaber, Sherrick, Steed, man, Stokes, Tyler, Wagener, Williams and Wilson—27.

Messrs. Johnston, Seitz and Sabine voted in the negative—3.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

S. B. No. 149—Mr. Armstrong—To authorize the board of trustees of the Cincinnati Hospital to establish a branch hospital for the accommodation of persons afflicted with contagious diseases.

S. B. No 150—Mr. Armstrong—To amend section 4 of an act regulating the Commercial Hospital of Cincinnati, passed March 11th, 1861 (O. L., v. 61, p. 142), and to repeal certain amendments thereto passed January 26th, 1875 (O. L., v. 72, p. 197).

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

Mr. Marsh submitted the following report:

The standing committee on Insurance, to whom was referred the appointment of Joseph F. Wright, of Hamilton county, to be Superintendent of Insurance for the State of Ohio for the term of three years, from June 3d, 1878--

Having had the same under consideration, report it back, and recommend the confirmation.

THEO. MARSH, C. S. PARKER,
G. W. WILSON, H. SABINE.

The Senate proceeded to advise and consent to said appointment of Joseph F. Wright.

The yeas and nays were taken and resulted—yeas 25, nays 4, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Benson, Carlisle, Carson, Fisher, Grove, Howland, Jack-

son of Clinton, Johnston, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—25.

Those who voted in the negative were—

Messrs. Armstrong, Irvine, Joy and Steedman—4.

So the Senate advised and consented to said appointment.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives, and read the first time:

H. B. No. 556—Mr. Johnston—To authorize the commissioners of Tuscarawas county to build one or more bridges within the corporate limits of the village of Port Washington in said county.

H. B. No. 557—Mr. Bloom—To provide for the distribution of the school fund in the city of Mansfield.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate substitute for—

H. B. No. 145—Mr. Dempcy—To prevent the introduction and spread of a cattle disease, commonly known as Texas or Spanish fever, by the importation and introduction of cattle into the state of Ohio, infected with or liable to impart to other cattle said disease, and providing for the recovery of damages caused by the introduction of such diseased cattle, from owners of such cattle.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Richards, on leave, introduced the following bill, which was read the first time:

S. B. No. 189—To amend section 154, chapter 5, division 5, of an act to amend, revise and consolidate the statutes relating to municipal corporations, passed May 9, 1878.

Mr. Richards moved that the constitutional rule requiring bills to be read "on three different days" be suspended that S. B. No. 189 may be read the second time.

On which motion the yeas and nays were taken and resulted—yeas 27, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Dungan, Forrest, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Marsh, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—27.

So the motion was agreed to, and on motion said bill was referred to the committee on Municipal Corporations.

Mr. Johnston, on leave, introduced the following bill, which was read the first time:

S. B. No. 190—Supplementary to an act to amend revise and consolidate the statutes relating to municipal corporations, passed May 9, 1878.

Mr. Johnston moved that the constitutional rule requiring bills to be read "on three different days" be suspended that S. B. No. 190 may be read the second time.

On which motion. the yeas and nays were taken and resulted—yeas 29, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Dungan, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Krimmel, Marsh, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—29.

So the motion was agreed to, and on motion, said bill was referred to the committee on Municipal Corporations.

Mr. Richards submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled the following bills:

Sub. for S. B. No. 4—Supplementary to an act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title 1, crimes and offenses, part 4 of the act to revise and consolidate the general statutes of Ohio, passed May 5, 1877, (vol. 74, p. 240.)

S. B. No. 11—To establish the Girls' Industrial Home, and to repeal certain acts therein named.

S. B. No. 148—Relating to offenses against chastity and morality.

S. B. No. 141—To change the common pleas districts of the state and to give greater efficiency to the common pleas and district courts, and to repeal certain parts of an act therein named.

S. B. No. 174—To enable the commissioners of Montgomery and Warren counties to purchase toll roads and to convert the same into free roads.

R. G. Richards, E. S. Perkins,
J. W. Washburn, J. R. Johnston,
Duncan Dow, Irvine Dungan,
F. M. Carter.

Mr. Dungan submitted the following report:

The standing committee on Corporations other than Municipal, to whom was referred S. B. No. 168—Prescribing the duties of county commissioners and township trustees in certain cases therein named—

Having had the same under consideration, report it back, with the following amendments, and recommend its passage when so amended:

After the word "money" in the second line of section 1, insert the words "except for necessities arising by casualty or inevitable necessity."

At the last of section 2, strike out the words "its passage" and insert "January 1, 1879."

Irvine Dungan, J. R. Johnston,
Geo. P. Tyler, J. M. Armstrong,
R. G. Richards.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time now, and was then read.

Mr. Seitz moved that the bill be laid upon the table.

Which was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 14, nays 11, as follows:

Those who voted in the affirmative were—
Messrs. Beebe, Dungan, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Marsh, Owens, Richards, Sabine, Saltzgaber, Seitz, Williams and Wilson—14.
Those who voted in the negative were—
Messrs. Armstrong, Benson, Carlisle, Carson, Forrest, Grove, Howland, Krimmel, Parker, Steedman and Tyler—11.
So the bill having failed to receive a constitutional majority was lost.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:
S. B. No. 148—Mr. Grove—Relating to offenses against chastity and morality.
S. B. No. 7—Mr. Forrest—To authorize certain courts to appoint stenographers.
S. B. No. 11—Mr. Benson—To establish the Girls' Industrial Home, and to repeal certain acts therein named.
Attest: L. A. BRUNNER, *Clerk.*

The President *pro tem.*, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:
H. B. No. 407—Mr. Clough—Defining the powers and duties of the board of public works.
Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.
Mr. Steedman moved that the constitutional rule requiring bills to be read "on three different days" be suspended that H. B. No. 407 may be read the second time.
On which motion the yeas and nays were taken and resulted—yeas 27, nays 1, as follows:
Those who voted in the affirmative were—
Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Dungan, Forrest, Grove, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Marsh, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—27.
Mr. Howland voted in the negative—1.
So the motion was agreed to, and said bill was read the second time, and on motion referred to the committee on Public Works and Public Lands.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

Sub. for S. B. No. 4.—Mr. Jackson of Perry—To regulate the payment of indebtedness of mining companies and corporations to employes for work and labor.

S. B. No. 141—Mr. Jackson of Perry—To change the common pleas districts of the state, and to give greater efficiency to the common pleas district courts.

S. B. No. 174—Mr. Grove—To enable the commissioners of Montgomery and Warren counties to purchase toll roads and to convert the same into free roads—

Attest: L. A. BRUNNER, *Clerk.*

The President, *pro tem.*, in presence of the Senate, signed said bills.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled the following bill:

S. B. No. 101—To amend section 3 of "An act to provide for the more prompt and efficient collection of claims due the state, (S. & C., v. 2, p. 1233.)

IRVINE DUNGAN, DUNCAN DOW,
R. G. RICHARDS, J. W. WASHBURN,
J. R. JOHNSTON, A. D. MARSH.

Mr. Dungan submitted the following report:

The joint committee on Enrollment have examined and found correctly enrolled the following bill:

H. B. No. 72—To reorganize the Asylum for the Blind.

IRVINE DUNGAN, J. R. JOHNSTON,
R. G. RICHARDS, F. M. CARTER,
J. W. WASHBURN, A. D. MARSH,
WM. JESSUP.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

H. B. No. 72—Mr. Washburn—To reorganize the Asylum for the Blind.

Attest: L. A. BRUNNER, *Clerk.*

The President *pro tem.*, in presence of the Senate, signed said bill.

Mr. Forrest, on leave, introduced the following bill, which was read the first time:

S. B. No. 191—To authorize the council of the incorporated village of St. Bernard, Hamilton county, Ohio, to levy a tax to build a town hall.

S. B. No. 182—Mr. Lord—Providing for the leasing of the public works of the state of Ohio.

Was read the third time.

Mr. Wilson moved to refer the bill to a select committee of one, with instructions to amend as follows:

1. In section 5, line 25, between the words "lessees" and "and" insert, "but the failure of the board of public works to discharge the duties hereby devolved upon them, shall not in any manner release or discharge the lessee or lessees from their duty to repair, reconstruct, keep up and

maintain said public works in good condition for all proper and legitimate use thereof."

2. Also in section 5, line 41, between the words "interest" and "to" insert "or so much thereof as is not required to indemnify the state against loss for the nonperformance of said lease."

3. At the end of section 5, add "provided that said public works shall not be let for an annual rent of less than twenty thousand dollars, payable one-half semi-annually in advance."

4. In section 3, line 31, strike out "five" and insert "ten."

5. In line 37, same section, strike out the words "or oftener" and insert the word "and;" and in line 38, between the words "insufficient" and "conditioned" insert the word "oftener."

6. In section 9, line 15, strike out the words "said board of public works" and insert the words "said lessee or lessees."

On motion of Mr. Benson, said amendments were voted upon separately.

Amendment No. 1 was agreed to.
Amendment No. 2 was agreed to.
Amendment No. 3 was agreed to.
Amendment No. 4 was agreed to.
Amendment No. 5 was agreed to.
Amendment No. 6 was agreed to.

So said motion was agreed to, and Mr. Wilson was appointed such committee.

Mr. Wilson, on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No. 182, with instructions to amend, reports the same back amended as instructed.

G. W. Wilson.

Mr. Howland moved to refer the bill to a select committee of one, with instructions to amend as follows:

In section 3, lines 27 and 28, strike out the following, to-wit: "And whose bid in all respects shall be considered in the judgment of said board the best for the interests of the state."

Mr. Forrest moved that the further consideration of said bill and pending amendments be postponed until to-morrow, and made the special order for $10\frac{1}{2}$ o'clock A. M.

Which was agreed to.

Mr. Krimmel submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled the following bill:

Amended S. B. No. 6—To prescribe the duty of county commissioners in counties containing cities of the first class, having a population exceeding one hundred and eighty thousand.

C. F. Krimmel, J. R. Johnston,
E. S. Perkins, J. W. Washburn,
Irvine Dungan, Duncan Dow,
Wm. Jessup, R. G. Richards.

On motion of Mr. Steedman, the Senate adjourned until to-morrow morning at 9 o'clock.

Attest: ALLEN O. MYERS, *Clerk*.

SATURDAY, MAY 11, 1878—9 o'clock A. M.

The Senate met pursuant to adjournment.
The Journal was read and approved.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 354—Mr. Dodds—To create a special school district in Sycamore township, Hamilton county, Ohio.

H. B. No. 535—Mr. Tyler of Licking—Requiring clerks of the courts of common pleas to provide poll-books and tally-sheets for elections.

H. B. No. 445—Mr. Dunham—To authorize the council of the incorporated village of Clyde to issue bonds to purchase a steam fire engine and fire apparatus.

Sub. for S. B. No. 6—Mr. Forrest—To prescribe the duties of county commissioners in counties containing cities of the first class having a population exceeding 180,000.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 131—Mr. Seifert—Relating to the Lincoln soldiers' memorial monument.

H. B. No. 539—Mr. Palmer—To admit women to the practice of law.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 498—Mr Foster—To provide for the creation and regulation of corporate companies for the purpose of yachting, hunting, fishing, the protection of fish and game, and for lawful sporting purposes.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

S. B. No. 101—Mr. Forrest—To amend section 3 of an act to provide for the more prompt and efficient collection of claims due the state, (S. & C., v. 2, p. 1233).

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bill.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bills:

S. B. No. 13—Mr. Saltzgaber—To amend sections 3, 6 and 7 of an act entitled "An act to require mortgages or bills of sale of personal property to be deposited with the township clerks," passed February 24, 1846, (S. & C., p. 475), and to repeal an act supplementary thereto, passed and took effect April 30, 1877, (O. L., vol. 74, p. 149).

S. B. No. 20—Mr. Owens—To prevent the practice of resorting to distant courts to oppress the citizens of Ohio, and deprive them of their rights under the statutes of Ohio.

S. B. No. 165—Mr. Beer—To cure defects in the establishment of ditches.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Sabine presented the remonstrance of C. A. Zigler and 298 other citizens of Hardin county, to the passage of H. B. No. 420.

Which was referred to the committee on Corporations other than Municipal.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled the following bill:

S. B. No. 34—To revise and codify the laws relating to the organization and maintenance of the militia of Ohio.

IRVINE DUNGAN, J. W. WASHBURN,
C. F. KRIMMEL, WM. JESSUP,
R. G. RICHARDS, A. D. MARSH.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled the following bill:

H. B. No. 485—To authorize the trustees of Miami township, Hamilton county, to transfer certain funds therein named.

WM. JESSUP, E. S. PERKINS,
J. W. WASHBURN, IRVINE DUNGAN,
F. M. CARTER, J. R. JOHNSTON,
DUNCAN DOW, C. F. KRIMMEL.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills and joint resolution:

S. J. R. No. 49—To provide for the publication of the Ohio State Reports, and the advance sheets of the same.

S. B. No. 117—To authorize the commissioners of Lucas county to borrow an amount of money upon the bonds of said county, not exceeding the sum of $50,000.

S. B. No. 142—To amend section 10 of an act entitled "An act for the better security of head contractors, sub-contractors and material men," and to repeal certain acts therein named.

S. B. No. 20—To prevent the practice of resorting to distant courts to oppress the citizens of Ohio, and deprive them of their rights under the statutes of Ohio.

IRVINE DUNGAN, WM. JESSUP,
J. R. JOHNSTON, E. S. PERKINS,
C. F. KRIMMEL, C. R. HARMON,
J. W. WASHBURN, DUNCAN DOW.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 163—Mr. Armstrong—To authorize the election of two additional judges in the first judicial district—

With the following amendments, in which the concurrence of the Senate is requested:

In title, strike out the word "three," and insert "two."

In line 6, strike out the word "three," and insert "two."

Attest: L. A. BRUNNER, *Clerk.*

The queston being on concurring in said House amendments, the yeas and nays were taken, and resulted—yeas 25, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Dungan, Forrest, Grove, Howland, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—25.

Mr. Sabine voted in the negative—1.

So the Senate concurred in said amendment.

Mr. Richards submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled, the following bill:

H. B. No. 96—To reorganize the Institution for the Education of the Deaf and Dumb.

J. W. WASHBURN, DUNCAN DOW,
F. M. CARTER, E. S. PERKINS,
WM. JESSUP, C. F. KRIMMEL,
A. D. MARSH, R. G. RICHARDS.

Bills were read the second time and referred as follows:

H. B. No. 555—Mr. Meuser—To provide for the prompt printing and distribution of the municipal code, and making additional appropriations for the printing and distribution of the laws.

To committee on Public Printing.

S. B. No. 191—Mr. Forrest—To authorize the council of the incorporated village of St. Bernard, Hamilton county, to levy a tax to build a town hall.

To committee on Municipal Corporations.

S. B. No. 139—Mr. Sabine—To allow the qualified electors of incorpo-

rated villages to vote for or against requiring the trustees or council of incorporated villages to regulate, restrain and prohibit ale, beer and porter houses or shops, and places of notorious and habitual resort for tippling and intemperance therein.

Was read the third time.

On demand of Mr. Sabine, a call of the Senate was had.

Messrs. Carlisle, Irvine and Jackson of Perry were absent.

On motion of Mr. Johnston, the Sergeant-at-Arms was dispatched for absentees.

Mr. Carlisle appeared within the bar of the Senate and answered to his name.

On motion of Mr. Saltzgaber, further proceedings under the call were dispensed with.

Mr. Forrest moved to refer the bill to a select committee of one, with instructions to amend as follows:

Strike out all after the enacting clause, and insert:

"That section 13, of chapter 8, of title 1, of an act entitled "An act to amend, revise and consolidate the statutes relating to crimes and offenses, and to repeal certain acts therein named, to be known as title one, crimes and offenses, part four, of the act to revise and consolidate the general statutes of Ohio, passed May 5, 1877, (O. L., v. 74, p. 268), be so amended as to read as follows:

"SEC. 13. Whoever sells intoxicating liquor to be drank in or upon, or about the building or premises where sold, or in any adjoining room, building or premises, or other place of public resort connected therewith, or sells intoxicating liquors to a minor, except upon the order of his parent, guardian or family physician, or to a person when in a state of intoxication, or to a known inebriate, or buys for or gives intoxicating liquors to a minor, shall be fined in any sum not exceeding $25, nor less than $5; the giving away of intoxicating liquor, or other shift or device to evade the provisions of this act, shall be deemed and held to be unlawful selling. The provisions of this section, concerning the sale of intoxicating liquor to be drunken on the premises where sold, shall not extend to the sale of wine, beer, ale or cider, except as to minors. Said original section 13 is hereby repealed."

SEC. 2. That section 14 of said act be so amended as to read as follows:

"SEC. 14. Any person or persons convicted for the third time of selling or furnishing intoxicating liquors to a minor, or a person intoxicated, or a known inebriate, whether either or all of said convictions be for selling or furnishing such liquor to either a minor, a person intoxicated, or a known inebriate, the place kept by such person, for the sale of such liquor, shall be deemed and held a common nuisance, and the court shall order such place closed, and the nuisance abated, unless it be made to appear to the satisfaction of the court that the keeper of such place does not then sell liquor therein, in violation of law, or enters into a bond, in the penal sum of $1000, payable to the state of Ohio, with sureties to be approved by the court, conditioned that he will not therein unlawfully sell, or furnish intoxicating liquors to any minor, person intoxicated, or known inebriate; and whoever shall accept, receive or demand any sum of money, or thing of value, for the compounding or abandoning of any prosecution for unlawfully selling or furnishing intoxicating liquor, shall, on conviction thereof, be fined in any sum not exceeding $300, nor less than $100, and be committed in the jail of the

county, or, (in case there be a work house in the county,) to the work house until fine and costs are paid."

"SEC. 3. That said original section 14 of the above entitled act, be and the same is hereby repealed.

"SEC. 4. This act shall take effect and be in force from and after its passage, and shall apply to all cases in any of the courts of the State of Ohio wherein prosecutions have been commenced and are now pending under said original sections 13 and 14 of chapter 8 of the above entitled act."

Mr. Benson moved that said bill and pending substitute be laid upon the table.

On which motion the yeas and nays were demanded, taken and resulted—yeas 14, nays 15, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Grove, Joy, Marsh, McDonald, Owens, Parker, Seitz, Stokes, Tyler and Williams—14.

Those who voted in the negative were—

Messrs. Beebe, Beer, Dungan, Forrest, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Krimmel, Richards, Sabine, Saltzgaber, Steedman, and Wilson—15.

So the motion was disagreed to.

Mr. Saltzgaber moved that the further consideration of said bill and pending substitute be postponed until the 10th of January, 1879.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 18, nays 12, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Grove, Irvine, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—18.

Those who voted in the negative were—

Messrs. Beebe, Beer, Dungan, Forrest, Howland, Jackson of Clinton, Johnston, Kelley, Krimmel, Richards, Sabine and Wilson—12.

So the motion was agreed to.

H. B. No. 347—Mr. Clough—To provide for a supply of water for fire and other purposes, in certain cities of the second class.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 7, nays 18, as follows:

Those who voted in the affirmative were—

Messrs. Carlisle, Dungan, Forrest, Grove, Joy, Saltzgaber and Stokes–7.

Those who voted in the negative were—

Messrs. Beebe, Beer, Carson, Irvine, Johnston, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Seitz, Tyler, Wagener, Williams and Wilson—18.

So the bill, having failed to receive a constitutional majority, was lost.

Mr. Johnston submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled the following bill:

H. B. No. 105—Mr. Worley—To amend section 50 of an act entitled "An act for the reorganization and maintenance of common schools," passed May 1, 1873, and to repeal section 31 of an act entitled "An act to amend and supplementary to an act entitled an act to provide for the organization, supervision and maintenance of common schools," passed March 14, 1852, and acts amendatory thereto; also, supplementary to an

act for the support and better regulation of common schools in the town of Akron, passed February 8, 1847, and the acts amendatory thereto; also, supplementary to an act for the better regulation of the public schools in cities, towns, etc., passed February 21, 1849, and the acts amendatory thereto.

J. W. Washburn, Duncan Dow,
F. M. Carter, E. S. Perkins,
Wm. Jessup, A. D. Marsh,
C. R. Harmon, J. R. Johnston.

H. B. No. 422—Mr. Sextro—Supplementary to the act entitled "An act for the relief of the poor," and to repeal certain acts therein named, (O. L., vol. 73, p. 233).

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 28, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carson, Dungan, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—28.

Mr. Sherrick voted in the negative—1.

So the bill was passed. The title was agreed to.

H. B. No. 526—Mr. Bull—For the relief of Joseph Stofer.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Forrest, Grove, Howland, Jackson of Clinton, Johnston, Kelley, Marsh, McDonald, Parker, Richards, Sabine, Seitz, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—24.

So the bill was passed. The title was agreed to.

H. B. No. 447—Mr. Groschner—To define certain water courses.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 20, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Jackson of Clinton, Johnston, Kelley, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Steedman, Tyler, Wagener, Williams and Wilson—20.

So the bill was passed. The title was agreed to.

H. B. No. 522—Mr. Loder—To authorize a temporary loan for sewerage purposes.

Was read the third time.

The question being, "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 27, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Dungan, Grove, Howland, Jackson of Clinton, Johnston, Joy, Kelley, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—27.

So the bill was passed. The title was agreed to.

H. B. No. 518—Mr. Seifert—To authorize the city of Lancaster, Ohio, to issue bonds to purchase cemetery grounds.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Grove, Howland, Jackson of Clinton, Johnston, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—23.

Mr. Seitz voted in the negative—1.

So the bill was passed. The title was agreed to.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled the following bill:

S. B. No. 49—To amend and revise the statutes relating to taxation, to be known as title 13, part 1, of the act to revise and consolidate the general statutes.

IRVINE DUNGAN,	J. W. WASHBURN,
R. G. RICHARDS,	WM. JESSUP,
J. R. JOHNSTON,	F. M. CARTER,
C. F. KRIMMEL,	DUNCAN DOW.

H. B. No. 530—Mr. Van Cleaf—To amend the act of April 12, 1877, entitled "An act to amend an act entitled an act to authorize trustees of townships to appropriate lands for cemetery purposes," passed and took effect April 3, 1867, (74 v., 87).

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Dungan, Grove, Jackson of Clinton, Johnston, Joy, Krimmel, Marsh, McDonald, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—23.

Those who voted in the negative were—

Messrs. Howland and Wilson—2.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE GOVERNOR.

STATE OF OHIO, EXECUTIVE DEPARTMENT.

COLUMBUS, MAY 11, A. D. 1878.

To the Senate:

I have the honor to nominate, and, by and with the consent of the Senate, appoint, the following named gentlemen, to be Trustees of the Ohio State University at Columbus, for the terms indicated:

James B. Jamison, of Harrison county, for one year.

S. M. Ellis, of Warren county, for two years.

Stephen A. Johnston, of Miami county, for three years.

Thomas J. Godfrey, of Mercer county, for four years.

Alston Ellis, of Butler county, for five years.

T. Ewing Miller, of Franklin county, for six years.
J. H. Anderson, of Franklin county, for seven years.

Very respectfully,

RICHARD M. BISHOP, *Governor.*

On motion of Mr. Dungan, said message was referred to the committee on Universities, Colleges and Academies.

H. B. No. 165—Mr. White—Supplementary to an act entitled "An act to provide for the creation and regulation of incorporated companies in the State of Ohio," passed May 1, 1852.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 18, nays 3, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Dungan, Grove, Howland, Joy, Krimmel, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—18.

Those who voted in the negative were—

Messrs. Johnston, Kelley and Richards—3.

So the bill was passed. The title was agreed to.

H. B. No. 428—Mr. Luccock—To require the commissioners of the counties of Butler, Warren, Clinton, Clermont and Fayette to pay a local bounty.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Dungan, Forrest, Grove, Howland, Jackson of Clinton, Joy, Kelley, Marsh, McDonald, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—23.

So the bill was passed. The title was agreed to.

H. B. No. 540—Mr. Parker—For the relief of Geo. W. Woodward.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 23, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Dungan, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Joy, Kelley, McDonald, Richards, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener and Wilson—23.

So the bill was passed. The title was agreed to.

H. B. No. 485—Mr. Jessup—To authorize the trustees of Miami township, Hamilton county, to transfer certain funds therein named.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 26, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Dungan, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Marsh, McDonald, Owens, Richards, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—26.

So the bill was passed. The title was agreed to.

H. B. No. 504—Mr. Palmer—To amend an act entitled "An act to au-

thorize the city of Cleveland to fund certain railroad stocks," passed April 28, 1862, (vol. 59, p. 126).

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 20, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carson, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Kelley, Marsh, McDonald, Owens, Richards, Sabine, Seitz, Stokes, Tyler, Wagener and Williams—20.

So the bill was passed. The title was agreed to.

H. B. No. 438—Mr. Achauer—To authorize the commissioners of Muskingum county to borrow money and build a county infirmary.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 20, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Marsh, McDonald, Richards, Seitz, Stokes, Tyler, Wagener, Williams and Wilson—20.

So the bill was passed. The title was agreed to.

H. B. No. 553—Mr. Kellogg—To amend section 56 of an act entitled "An act for the reorganization and maintenance of common schools," passed and took effect April 21, 1877, (O. L., v. 74, p. 108).

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 25, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Carlisle, Carson, Dungan, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Joy, Kelley, Marsh, McDonald, Parker, Richards, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—25.

So the bill was passed. The title was agreed to.

H. B. No. 513—Mr. Johnson—To authorize the commissioners of Tuscarawas county to make an additional levy for county purposes.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 23, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Dungan, Forrest, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Marsh, McDonald, Owens, Richards, Saltzgaber, Steedman, Stokes, Tyler, Williams and Wilson—23.

So the bill was passed. The title was agreed to.

H. B. No. 503—Mr. Clough—To legalize certain bonds issued by the commissioners of Butler county, and to authorize the payment thereof.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 26, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Beer, Benson, Carlisle, Carson, Dungan, Grove, Howland, Irvine, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—26.

So the bill was passed. The title was agreed to.

H. B. No. 419—Mr. Haley—For the relief of Joseph D. Philbrick, and his securities, treasurer of McDonald township, Hardin county, Ohio.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 13, nays 13, as follows:

Those who voted in the affirmative were—

Messrs. Benson, Carlisle, Carson, Dungan, Grove, Johnston, Krimmel, McDonald, Steedman, Stokes, Tyler, Wagener and Williams—13.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Howland, Irvine, Jackson of Perry, Kelley, Marsh, Owens, Parker, Sabine, Saltzgaber, Seitz and Wilson—13.

So the bill, having failed to receive a constitutional majority, was lost.

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 11TH DAY OF MAY, 1878.

To the Senate:

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint the following named gentlemen to be trustees of the Asylum for the Blind, for the terms indicated:

Joseph Falkenbach, of Franklin county, for one year.
S. D. Houpt, of Hancock county, for two years.
B. F. Martin, of Franklin county, for three years.
W. R. Wing, of Licking county, for four years.
Christian Blazer, of Pike county, for five years.

Very respectfully,

RICHARD M. BISHOP, *Governor.*

On motion of Mr. Johnston, said message was referred to the committee on Benevolent Institutions.

Mr. Dungan submitted the following report:

The joint committee on Enrollment have examined and found correctly enrolled the following bill and joint resolution:

H. B. No. 158—Mr. Crosley—To amend section 9 of an act entitled "An act to authorize the board of county commissioners to lay out and establish free turnpike roads, and to repeal certain acts therein named," passed March 29, 1875, (Sayler's Statutes, v. 4, p. 3460).

H. J. R. No. 53—Mr. Greene—To authorize payment to James B. Monroe for work done on the Soldiers' and Sailors' Orphans' Home.

IRVINE DUNGAN, F. M. CARTER,
E. S. PERKINS, C. R. HARMON,
DUNCAN DOW, C. F. KRIMMEL,
J. R. JOHNSTON.

H. B. No. 323—Mr. Worley—To amend section ninety-three of an act entitled "An act for the reorganization and maintenance of common schools," passed May 1, 1873.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 12, nays 9, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Carlilse, Carson, Grove, Jackson of Clinton, Krimmel, Marsh, McDonald, Richards, Steedman and Tyler—12.

Those who voted in the negative were—

Messrs. Beer, Benson, Dungan, Howland, Johnston, Sabine, Saltzgaber, Seitz and Wilson—9.

So the bill having failed to receive a constitutional majority was lost.

H. B. No. 381—Mr. Luccock—To authorize the board of school directors of the special school district, Jefferson township, Guernsey county, Ohio, to levy an additional tax.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 19, nays 3, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Grove, Irvine, Jackson of Clinton, Jackson of Perry, Marsh, McDonald, Richards, Sabine, Steedman, Stokes, Tyler, Williams and Wilson—19.

Messrs. Dungan, Parker and Seitz voted in the negative—3.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following joint resolution:

H. J. R. No. 52—Mr. Clough—Authorizing the Board of Public Works to take possession of the public works of the state.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said joint resolution.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill and joint resolution:

H. B. No. 96—Mr. Williams—To reorganize the Institution for the Education of the Deaf and Dumb.

H. J. R. No. 55—From Finance committee——As to employing convict labor for the construction of a certain building.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bill and joint resolution.

H. B. No. 439—Mr. Oglevee—To create a sub-school district in Madison township, Clark county, Ohio.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 22, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Dungan, Forrest, Grove, Howland, Irvine, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Steedman, Stokes, Tyler, Williams and Wilson—22.

Mr. Seitz voted in the negative—1.

So the bill was passed. The title was agreed to.

H. B. No. 480—Mr. Poe—To amend section 1 of an act entitled "An act for the relief of benevolent and charitable associations managed by women," passed March 30, 1866.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 21, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Dungan, Forrest, Grove, Marsh, McDonald, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes, Wagener, Williams and Wilson—21.

Messrs. Howland and Johnston voted in the negative.—2.

So the bill was passed. The title was agreed to.

On motion of Mr. Johnston, the Senate took a recess until 2:30 o'clock P. M.

HALF-PAST TWO O'CLOCK P. M.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled the following bill and joint resolutions:

H. J. R. No. 52—Mr. Clough—That the Board of Public Works shall take immediate possession of the public works of the state.

H. J. R. No. 55—As to employing convict labor for the construction of a certain building.

H. B. No. 548—To amend section 3 of "An act to reorganize the Reform School for Boys," passed March 21, 1878.

WM. JESSUP, F. M. CARTER,
IRVINE DUNGAN, J. R. JOHNSTON,
R. G. RICHARDS, C. F. KRIMMEL,
J. W. WASHBURN, DUNCAN DOW,
C. R. HARMON.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill—

S. B. No. 86—Mr. Forrest—To amend section 7 of an act entitled "An act to provide for establishing an insurance department in the State of Ohio," passed March 12, 1872; amended April, 1873, (vol. 69, O. L., p. 34; Sayler's Statutes of Ohio, chapter 2154, p. 2605,) and section 11, chapter 2, of "An act to regulate insurance companies doing an insurance business in the State of Ohio," passed April 27, 1872; amended April, 1873, (O. L., v. 69, p. 153; Sayler's Statutes, chapter 2218, p. 2738)—

With the following amendments, in which the concurrence of the Senate is requested:

In section 11, line 23, after the word "four" strike out "and one-half."

In line 19, of section 7, strike out the word "settlement" and substitute the word "statement."

Also in same section strike out all after the word "paid" where it first occurs in line 22, and add "by said life insurance companies."

Attest: L. A. BRUNNER, *Clerk.*

The question being on concurring in said House amendments, the yeas and nays were taken, and resulted—yeas 3, nays 18, as follows:

Those who voted in the affirmative were—

Messrs. Dungan, Owens and Sherrick—3.

Those who voted in the negative were—

Messrs. Armstrong, Beer, Benson, Carson, Forrest, Grove, Howland, Jackson of Perry, Johnston, Kelley, Krimmel, Marsh, Saltzgaber, Seitz, Stokes. Tyler, Williams and Wilson—18.

So the Senate refused to concur in said House amendments.

Mr. Forrest moved that a committee of Conference be requested on said bill.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the adoption of the following joint resolution:

S. J. R. No. 56—Mr. Carson—Praying that the berme bank of the feeder to the Miami and Erie canal, from Port Jefferson to Sidney, may be granted to the Columbus & North Western Narrow Gauge Railway Company for a road bed, under certain restrictions—

With the following amendments, in which the concurrence of the Senate is requested:

Strike out in line 11, all after the word "bank" and all of line 12.

Attest: L. A. BRUNNER, *Clerk.*

The question being on concurring in said House amendments, the yeas and nays were taken, and resulted—yeas 21, nays 3, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Dungan, Grove, Jackson of Clinton, Johnston, Krimmel, Marsh, McDonald, Richards, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Williams and Wilson—21.

Those who voted in the negative were—

Messrs. Beer, Kelley and Owens—3.

So the Senate concurred in said House amendments.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

Sub. for H. B. No. 365—Mr. Norton—To apportion the State of Ohio into congressional districts, and to repeal an act therein named.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Johnston moved that said bill be rejected.

On demand of Mr. Carson, a call of the Senate was had.

Messrs. Joy and Wagener were absent.

Mr. Steedman moved that the Sergeant-at-Arms be dispatch for absentees.

Which was disagreed to.

Mr. Wagener appeared within the bar of the Senate and answered to his name.

Mr. Johnston moved that further proceedings under the call be dispensed with.

On which motion the yeas and nays were demanded, taken and resulted—yeas 16, nays 15, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Curtiss, Dungan, Howland, Jackson of Clinton, Jackson of Perry, Johnston, Kelley, Marsh, Owens, Richards, Sabine, Saltzgaber, Stokes and Wilson—16.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Forrest, Grove, Krimmel, Lord, McDonald, Parker, Seitz, Steedman, Tyler, Wagener and Williams—15.

So the motion was agreed to.

The question recurring on Mr. Johnston's motion to reject the bill, (sub. for H. B. No. 365)—

The yeas and nays were demanded, taken and resulted—yeas 13, nays 19, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Dungan, Howland, Jackson of Clinton, Johnston, Kelley, Marsh, McDonald, Owens, Richards, Sabine and Wilson—13.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Crason, Fisher, Forrest, Grove, Joy, Krimmel, Lord, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—19.

So the motion was disagreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives requests the appointment of a committee of Conference to consider the business before both Houses.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Steedman moved that the request of the House be acceded to.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 22, nays 5, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carson, Forrest, Grove, Irvine, Joy, Marsh, McDonald, Owens, Parker, Richards, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—22.

Those who voted in the negative were—

Messrs. Beer, Howland, Jackson of Clinton, Kelley and Sabine—5.

So the motion was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills and joint resolution:

H. B. No. 548—Mr. Van Cleaf—To amend section 3 of an act entitled

"An act to reorganize the Reform School for Boys," passed March 21, 1878.

S. B. No. 117—Mr. Steedman—To authorize the commissioners of Lucas county to borrow an amount of money, not to exceed the sum of $50,000.

S. B. No. 142—Mr. Howland—To amend section 10 of an act entitled "An act for the better security of head contractors, sub-contractors and material men, and to repeal certain acts therein named," (O. L., 1877, p. 168).

S. J. R. No. 49—Mr. Owens—To provide for the publication of the Ohio State Reports and the advanced sheets of the same.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills and joint resolution.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills and joint resolution:

H. B. No. 105—Mr. Worley—To amend section 50 of an act entitled "An act for the re-organization and maintenance of common schools," passed May 1, 1873, and to repeal section 31 of an act entitled "An act to amend and supplementary to an act entitled an act to provide for the organization, supervision and maintenance of common schools," passed March 14, 1852, and acts amendatory thereto; also, supplementary to an act for the support and better regulation of common schools in the town of Akron, passed February 8, 1847, and the acts amendatory thereto; also, supplementary to an act for the better regulation of the public schools in cities, towns, etc., passed February 21, 1849, and the acts amendatory thereto.

H. B. No. 158—Mr. Crosby—To amend section 9 of an act entitled "An act to authorize the board of county commissioners to lay out and establish free turnpike roads, and to repeal certain acts therein named," passed March 29, 1875 (Sayler's Stat., v. 4, p. 3460).

H. J. R. No. 53—Mr. Greene—To authorize payment to James B. Monroe for work on the Soldiers' and Sailors' Orphans' Home.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills and joint resolution.

MESSAGE FROM THE GOVERNOR.

STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 11th day of May, 1878.

To the Senate:

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint the following named gentlemen to be Trustees of the Asylum for the Deaf and Dumb, for the terms indicated:

Jacob Rohrheimer, of Cuyahoga county, for one year.

L. L. Lamborn, of Stark county, for two years.
Samuel Tailor, of Logan county, for three years.
John Cooke, of Belmont county, for four years.
E. L. Hinman, of Franklin county, for five years.

Very respectfully, RICHARD M. BISHOP, *Governor.*

Said message, on motion of Mr. Krimmel, was referred to the committee on Benevolent Institutions.

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, May 11th, 1878.

To the Senate:

Under the provisions of the bill reorganizing the Asylum for the Blind, but one Trustee being allowed to Franklin county, the name of B. F. Martin is respectfully withdrawn, with the consent of the Senate.

Very respectfully, RICHARD M. BISHOP, *Governor.*

On motion, said request of the Governor was acceded to.

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 11th day of May, 1878.

To the Senate:

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint Harmon Austin, of Trumbull county, to be Trustee of the Asylum for the Blind, for the term of three years.

Very respectfully,
RICHARD M. BISHOP, *Governor.*

Said message, on motion of Mr. Krimmel, was referred to the committee on Benevolent Institutions.

Mr. Carlisle submitted the following report:

The standing committee on Universities and Colleges, to whom was referred the appointment of Board of Trustees of the Ohio State University—

Having had the same under consideration, report them back and recommend the confirmation of said appointments

B. W. CARLISLE, JOHN IRVINE,
W. H. STOKES, H. W. CURTISS,
G. W. WILSON.

The Senate proceeded to advise and consent to said appointment of James B. Jamison.

On which motion the yeas and nays were taken and resulted—yeas 22, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Howland,

Jackson of Clinton, Joy, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Stokes, Tyler, Wagener and Wilson–22.

So the Senate advised and consented to said appointment.

The Senate proceeded to advise and consent to the appointment of S. M. Ellis.

On which motion, the yeas and nays were taken and resulted--yeas 20, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Grove, Howland, Jackson of Clinton, Joy, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Stokes, Tyler and Wilson—20.

So the Senate advised and consented to said appointment.

The Senate proceeded to advise and consent to the appointment of Stephen A. Johnston.

On which motion, the yeas and nays were taken and resulted--yeas 19, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Benson, Carlisle, Carson, Grove, Howland, Jackson of Clinton, Joy, Krimmel, Marsh, McDonald, Owens, Parker, Richard Sabine, Seitz, Stokes, Tyler and Wilson—19.

So the Senate advised and consented to said appointment.

The Senate proceeded to advise and consent to the appointment of Thomas J. Godfrey.

On which motion the yeas and nays were taken, and resulted—yeas 23, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Dungan, Grove, Howland, Irvine, Jackson of Clinton, Joy, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Stokes, Tyler, and Wilson—23.

So the Senate advised and consented to said appointment.

The Senate proceeded to advise and consent to the appointment of Alston Ellis.

On which motion, the yeas and nays were taken, and resulted—yeas 22, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Carlisle, Carson, Grove, Howland, Irvine, Jackson of Clinton, Joy, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Stokes, Tyler, Williams and Wilson —22.

So the Senate advised and consented to said appointment.

The Senate proceeded to advise and consent to the appointment of T. Ewing Miller.

On which motion the yeas and nays were taken, and resulted—yeas 24, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Grove, Howland, Irvine, Jackson of Clinton, Joy, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Stokes, Tyler, Williams and Wilson—24.

So the Senate advised and consented to said appointment.

The Senate proceeded to advise and consent to the appointment of I. H. Anderson.

On which motion the yeas and nays were taken, and resulted—yeas 24, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Dungan, Grove, Irvine, Jackson of Clinton, Joy, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Steedman, Stokes, Tyler, Williams and Wilson—24.

So the Senate advised and consented to said appointment.

The President appointed Messrs. Forrest, Steedman and Beer as Conference committee, on part of the Senate, to report on the condition of the business of both Houses, as requested by the House.

Mr. Krimmel submitted the following report:

The standing committee on Benevolent Institutions, to whom was referred the appointments for trustees of asylum for the blind—

Having had the same under consideration, recommend the appointment of—

Joseph Falkenbach, of Franklin county, for 1 year,
S. D. Houpt, of Hancock, for 2 years,
Harmon Austin, of Trumbull, for 3 years,
W. R. Wing, of Licking, for 4 years,
Christian Blazer, of Pike, for 5 years.

C. F. Krimmel, G. A. Grove,
Theo Marsh, D. D. Beebe,
Geo. P. Tyler, B. W. Carlisle.

The Senate proceeded to advise and consent to the appointment of Joseph Falkenbach.

On which motion the yeas and nays were taken, and resulted—yeas 21, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Carlisle, Carson, Dungan, Grove, Irvine, Jackson of Clinton, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Sabine, Seitz, Steedman, Stokes, Williams and Wilson—21.

So the Senate advised and consented to said appointment.

The Senate proceeded to advise and consent to the appointment of S. D. Houpt.

On which motion, the yeas and nays were taken, and resulted—yeas 25, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Dungan, Grove, Howland, Irvine, Jackson of Clinton, Joy, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Sabine, Seitz, Steedman, Stokes, Tyler, Williams and Wilson—25.

So the Senate advised and consented to said appointment.

The Senate proceeded to advise and consent to the appointment of Harmon Austin.

On which motion, the yeas and nays were taken, and resulted—yeas 18, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Dungan, Howland, Jackson of Clinton, Joy, Kelley, McDonald, Owens, Parker, Steedman, Stokes, Williams and Wilson—18.

So the Senate advised and consented to said appointment.

The Senate proceeded to advise and consent to the appointment of W. R. Wing.

On which motion the yeas and nays were taken, and resulted—yeas 22, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Carlisle, Carson, Dungan, Grove, Howland, Jackson of Clinton, Joy, Kelley, Krimmel, Marsh, Owens, Parker, Sabine, Seitz, Sherrick, Stokes, Tyler, Williams and Wilson—22.

So the Senate advised and consented to said appointment.

The Senate proceeded to advise and consent to the appointment of Christian Blazer.

On which motion, the yeas and nays were taken, and resulted—yeas 22, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Dungan, Grove, Howland, Irvine, Jackson of Clinton, Joy, Kelley, Krimmel, Marsh, Parker, Sabine, Seitz, Stokes, Tyler, Williams and Wilson—22.

So the Senate advised and consented to said appointment.

Mr. Tyler submitted the following report:

The standing committee on Benevolent Institutions, to whom was referred the appointments of trustees for the asylum for deaf and dumb—

Having had the same under consideration, recommend the appointment of—

Jacob Rohrheimer, of Cuyahoga county, for 1 year,
L. L. Lamborn, of Stark, county for 2 years,
Samuel Taylor, of Logan county, for 3 years,
John Cook, of Belmont county, for 4 years,
E. L. Henman, of Franklin county, for 5 years.

GEO. P. TYLER, C. F. KRIMMEL,
G. A. GROVE, B. W. CARLISLE,
D. D. BEEBE.

The Senate proceeded to advise and consent to the appointment of Jacob Rohrheimer.

On which motion, the yeas and nays were taken and resulted—yeas 20, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Dungan, Grove, Howland, Jackson of Clinton, Joy, Marsh, McDonald, Richards, Saltzgaber, Seitz, Steedman, Tyler, Williams and Wilson—20.

So the Senate advised and consented to said appointment.

The Senate proceeded to advise and consent to the appointment of L. L. Lamborn.

On which motion, the yeas and nays were taken, and resulted—yeas 20, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Dungan, Grove, Howland, Jackson of Clinton, Joy, Krimmel, McDonald, Owens, Parker, Richards, Saltzgaber, Seitz, Steedman, Williams and Wilson—20.

So the Senate advised and consented to said appointment.

The Senate proceeded to advise and consent to the appointment of Samuel Taylor.

On which motion, the yeas and nays were taken, and resulted—yeas 18, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Dungan, Grove, Howland, Jackson of Clinton, Joy, McDonald, Owens, Richards, Seitz, Stokes, Tyler, Williams and Wilson—18.

So the Senate advised and consented to said appointment.

The Senate proceeded to advise and consent to the appointment of John Cook.

On which motion, the yeas and nays were taken, and resulted—yeas 22, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Grove, Howland, Irvine, Jackson of Clinton, Kelley, Krimmel, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Tyler, Williams and Wilson—22.

So the Senate advised and consented to said appointment.

The Senate proceeded to advise and consent to the appointment of E. L. Hinman.

On which motion, the yeas and nays were taken, and resulted—yeas 24, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Dungan, Grove, Howland, Irvine, Jackson of Clinton, Joy, Kelley, Krimmel, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Steedman, Stokes and Williams—24.

So the Senate advised and consented to said appointment.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has appointed Messrs. Meuser, Swaim and Palmer, a Conference committee on the part of the House, to consider the business before both Houses.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to—

H. B. No. 337—Mr. Booth—To appropriate money to repair the public works, and render them fit for navigation.

Attest: L. A. BRUNNER, *Clerk.*

Sub. for H. B. No. 6—Supplementary to an act entitled "an act to regulate the fees of probate judges, clerks of courts, sheriffs, witnesses, jurors, fees in partitions, and to repeal certain acts therein named (Ohio Laws, v. 73, p. 127); and also supplementary to an act entitled 'an act prescribing the fees of county treasurers,'" passed February 8, 1877, (O. L., v. 74, p. 13).

Was read the third time.

Mr. Owens moved that said bill be laid upon the table.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives accedes to the request of the Senate, and has appointed Messrs. Bohl, Dodds and Leggett a committee of Conference on the part of the House, to consider the differences existing between both Houses on—

S. B. No. 86—Mr. Forrest—To amend section seven (7) of an act entitled an act to provide for establishing an insurance department in the State of Ohio, passed March 12, 1872, amended April, 1873, (Volume 69 Ohio Laws, page 34; Sayler's statutes of Ohio, chapter 2,154, page 2,605), and section eleven (11), chapter two (2), of an act to regulate insurance companies doing an insurance business in the State of Ohio, passed April 27, 1872, amended April, 1873, (Volume 69 Ohio Laws, page 153; Sayler's statutes, chapter 2,218, page 2,738.)

Attest: L. A. BRUNNER, *Clerk.*

The President appointed Messrs. Forrest, Saltzgaber and Johnston as such Conference committee on the part of the Senate.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 158—Mr. Steedman—To authorize the appointment of an assistant prosecuting attorney in certain counties.

Attest: L. A. BRUNNER, *Clerk.*

H. B. No. 544—Mr. Sawyer—To authorize the village of Minster, in the county of Auglaize, to issue bonds for the purpose therein named.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 21, nays 3, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer. Benson, Carlisle, Carson, Dungan, Forrest, Jackson of Clinton, Johnston, Joy, Krimmel, Lord, Marsh, McDonald, Parker, Saltzgaber, Sherrick, Tyler, Wagener, Williams and Wilson—21.

Messrs. Beebe, Richards and Sabine voted in the negative—3.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 11TH DAY OF MAY, 1878.

To the Senate:

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint—

The following named gentlemen to be Trustees of the Girls' Industrial Home, for the terms indicated:

H. F. Kelly, of Crawford county, for one year.
Franklin B. Sprague, of Delaware county, for two years.
John W. Watkins, of Delaware county, for three years.
F. D. West, of Erie county, for four years.
French H. Thornhill, of Union county, for five years.

Very respectfully, RICHARD M. BISHOP, *Governor.*

On motion of Mr. Krimmel said message was referred to the committee on Reform School and Industrial School for Girls.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S B. No. 150—Mr. Armstrong—To amend section 4 of an act regulating the Commercial Hospital of Cincinnati, passed March 11, 1861 (O. L., v. 61, p. 142), and to repeal certain amendments thereto, passed January 26, 1875 (O. L., v. 72, p. 172).

In line 5, section 4, strike out the words "one-half" and insert "forty-eight one-hundredths."

Section 4, line 14, after the word "Board" add, "Provided, that the said trustees shall levy only the amount of taxes necessary for the purposes before mentioned and the amount which the council of the city of Cincinnati is now authorized to levy shall be and is hereby reduced by the amount which the said trustees shall certify to said auditor as herein provided, and in no one year shall the amount so certified by the said trustees, and the amount authorized to be levied by council, exceed the amount which said council has a right by law to levy."

Attest: L. A. BRUNNER, *Clerk.*

Mr. Forrest moved that a select committee of three be appointed to investigate the status of S. B. No. 150 and make corrections to the Journal, if necessary.

Which was agreed to.

The President appointed Messrs. Forrest, Dungan and Howland as such committee.

H. B. No. 420—Mr. Haley—Authorizing the trustees of cemeteries, of the village of Kenton, Hardin county, Ohio, to remove dead bodies from the cemetery in said village.

Was read the third time.

Mr. Sabine moved to refer the bill to a select committee of one with instructions to amend as follows:

Add to line seven (7), section 1, the words following, "Provided, that no expense shall be incurred beyond the amount realized by the sale of said cemetery lands by the council of said village in removing the bodies from said cemetery, unless the question of such expenditure and tax therefor be first submitted to the qualified electors thereof at some general election."

Which was agreed to, and Mr. Sabine was appointed such committee.

Mr. Sabine, on leave, submitted the following report:

The select committee of one, to whom was referred H. B. No. 420, with instructions to amend, reports the same back, amended as instructed.

H. SABINE.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 25, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Carlisle, Carson, Grove, Howland, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler and Wilson—25.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

S. B. No. 49—Mr. Sherrick—To amend and revise the statutes relating to taxation, to be known as title 13, part one, of the act to revise and consolidate the general statutes.

S. B. No. 34—Mr. Forrest—To revise and codify the laws relating to the organization and maintenance of the militia of Ohio.

S. B. No. 20—Mr. Owens—To prevent the practice of resorting to distant courts to oppress the citizens of Ohio, and deprive them of their rights under the statutes of Ohio.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

Mr. Steedman submitted the following report:

The standing committee on Public Works and Public Lands, to whom was referred H. B. No. 407—"Defining the powers and prescribing the duties of the Board of Public Works"—

Having had the same under consideration, report it back, with following amendments, and recommend its passage when so amended:

Strike out all after the word "board," in line 11 of section 3, to the word "and," in line 13 of the same section.

Strike out in line 3, section 4, the words, "Governor, with the consent of the Senate," and insert, "Board of Public Works."

Strike out all after the word "thereof," in line 7, section 6; the word "to" in 8 of the same section.

Strike out "$18,000" in line 6, section 4, and insert "$2,000."

JAMES B. STEEDMAN, G. A. GROVE,
G. M. SALTZGABER, H. C. LORD.

Said amendments were agreed to, and the bill was ordered to be engrossed and read the third time now, and was then read.

On demand of Mr. Joy a call of the Senate was had.

Messrs. Beebe, Beer, Saltzgaber, Sherrick and Stokes were absent.

On motion of Mr. Steedman, further proceedings under the call were dispensed with.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 21, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Forrest, Grove, Irvine, Jackson of Clinton, Joy, Kelley, Krimmel, Marsh, McDonald, Parker, Richards, Sabine, Steedman, Tyler, Wagener and Williams—21.

Messrs. Seitz and Johnston voted in the negative—2.

So the bill was passed. The title was agreed to.

Mr. Grove submitted the following report:

The standing committee on Reform School and Industrial School for Girls, to whom was referred the appointment of Board of Trustees of the Girls' Industrial School—

Having had the same under consideration, report them back, and recommend the confirmation of such appointments.

G. A. Grove, Irvine Dungan.
B. W. Carlisle, John Seitz.
R. G. Richards.

The Senate proceeded to advise and consent to the appointment of H. F. Kelly.

On which motion the yeas and nays were taken, and resulted—yeas 23, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Curtiss, Dungan, Grove, Irvine, Jackson of Clinton, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Tyler, Williams and Wilson—23.

So the Senate advised and consented to said appointment.

The Senate proceeded to advise and consent to the appointment of Franklin B. Sprague.

On which motion the yeas and nays were taken, and resulted—yeas 21, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Grove, Irvine, Jackson of Clinton, Joy, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Sabine, Tyler, Williams and Wilson—21.

So the Senate advised and consented to said appointment.

The Senate proceeded to advise and consent to the appointment of John W. Watkins.

On which motion, the yeas and nays were taken and resulted—yeas 25, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Irvine, Jackson of Clinton, Joy, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Sherrick, Tyler, Williams and Wilson—25.

So the Senate advised and consented to said appointment.

The Senate proceeded to advise and consent to the appointment of F. D. West.

On which motion the yeas and nays were taken and resulted—yeas 24, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Dungan, Fisher, Grove, Jackson of Clinton, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Tyler, Williams and Wilson—24.

So the Senate advised and consented to said appointment.

Mr. Richards submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled the following bill:

H. B. No. 488—To revise and consolidate the laws relating to procedure before justices of the peace and mayors.

J. W. Washburn, A. D. Marsh,
F. M. Carter, Duncan Dow,
E. S. Perkins, C. R. Harmon,
R. G. Richards.

H. B. No. 396—Mr. Sage—To amend section 6 of an act entitled "An act to provide for the straightening, clearing out, widening, deepening and otherwise improving certain ditches, drains, and water-courses, in Wood county, Ohio," passed April 11, 1876, (O. L., vol. 73, p. 303.)

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carson, Dungan, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Sabine, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—24.

So the bill was passed. The title was agreed to.

The Senate proceeded to advise and consent to the appointment of French H. Thornhill.

On which motion, the yeas and nays were taken, and resulted—yeas 22, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Grove, Howland, Irvine, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Stokes, Tyler, Williams and Wilson—22.

So the Senate advised and consented to said appointment.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills and joint resolution:

S. B. No. 165—To cure defects in the establishment of ditches.

S. B. No. 163—To authorize the election of two additional judges in the first judicial district.

S. J. R. No. 56—Praying that the berme bank of the feeder to the Miami and Erie canal from Port Jefferson to Sidney may be granted to the Columbus and North Western Narrow Gauge Railway Company, for a road bed under certain restrictions.

Irvine Dungan, R. G. Richards,
J. R. Johnston, E. S. Perkins,
Duncan Dow, F. M. Carter,
J. W. Washburn.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled the following bills:

S. B. No. 158—To authorize the appointment of an assistant prosecuting attorney in certain cases.

S. B. No. 13—To amend sections 3. 6 and 7 of an act entitled "An act to require mortgages or bills of sale of personal property to be deposited

with township clerks," passed February 24, 1846, (S. & C., p. 475), and to repeal an act supplementary thereto, passed and took effect April 30, 1877, (O L., v. 74, p. 149.)

IRVINE DUNGAN, C. F. KRIMMEL,
J. R. JOHNSTON, E. S. PERKINS,
DUNCAN DOW, F. M. CARTER,
J. W. WASHBURN.

H. B. No. 514—Mr. Sullivan of Hamilton—To create a village school district in Anderson township, Hamilton county, Ohio.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 26, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Marsh, McDonald, Owens, Sabine, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—26.

So the bill was passed. The title was agreed to.

Mr. Forrest submitted the following report:

The committee appointed to so correct the Journal of the Senate for May 9, 1878, as to conform to the proceedings of that day actually had, having had the same under consideration, respectfully report:

That the message received by the Senate from the House of Representatives erroneously stated that the House of Representatives had concurred in the passage of S. B. No. 150, but at the same time contained amendments to the bill, that the question being upon concurring in the House amendments the Senate refused to concur by a vote of 12 ayes and 13 nays. That during the afternoon session, upon motion of Mr. Forrest the Senate reconsidered the vote by which the Senate refused to concur in the House amendments. The question then being upon concurring in the House amendments, the same were concurred in by a vote of 24 ayes and 1 nay, and your committee recommend that the Journal be corrected to conform to the facts as above stated.

W. T. FORREST,
W. P. HOWLAND,
IRVINE DUNGAN,
Committee.

The question being on agreeing to said report, the yeas and nays were demanded, taken, and resulted—yeas 27, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Johnston, Kelley, Krimmel, Marsh, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—27.

So said report was agreed to.

Mr. Johnston moved that the vote whereby S. B. No. 168 was lost be reconsidered.

Which was agreed to.

On motion of Mr. Johnston, said S. B. No. 168 was laid upon the table.

H. B. No. 388—Mr. Foster—To amend the third section of an act passed April 6, 1876, entitled "An act supplementary to an act supplementary to an act to provide for the organization and government of municipal corporations," passed April 27, 1872, (vol. 73, p. 108.)

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 27, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Krimmel, Marsh, McDonald, Owens, Richards, Sabine, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—27.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 488—Mr. Bloom—To revise and consolidate the laws relating to procedure before justices of the peace and mayors.

S. B. No. 158—Mr. Steedman—To authorize the appointment of an assistant prosecuting attorney in certain cases.

S. B. No. 163—Mr. Armstrong—To authorize the election of two additional judges in the first judicial district.

S. B. No. 13—Mr. Saltzgaber—To repeal an act entitled "An act supplementary to the act to require mortgages or bills of sale of personal property to be deposited with township clerks," passed and took effect April 30, 1877, (O. L., v. 74, p. 149.)

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills:

H. B. No. 492—Mr. Crosson—Amendatory to an act to authorize the commissioners of Hamilton and Clermont counties to build a bridge over the Little Miami river, passed April 7, 1876, (vol. 73, O. L., p. 286); as amended March 30, 1877, (O. L., p. 424.)

Was read the third time.

On motion of Mr. Carlisle, the Senate took a recess until eight o'clock this evening.

EIGHT O'CLOCK P. M.

Leave of absence was asked and obtained for Mr. Jackson of Perry, on account of sickness.

The Senate resumed the consideration of H. B. No. 492.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 25, nays 4, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Grove, Howland, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler and Wilson—25.

Those who voted in the negative were—

Messrs. Dungan, Fisher, Forrest and Irvine—4.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills and joint resolution:

H. B. No. 485—Mr. Jessup—To authorize the trustees of Miami township, Hamilton county, to transfer certain funds therein named.

S. B. No. 165—Mr. Beer—To cure defects in the establishment of ditches.

S. J. R. No. 56—Mr. Carson—Praying that the berme bank of the feeder to the Miami and Erie canal from Port Jefferson to Sidney, may be granted to the Columbus & North Western Narrow Gauge Railway Company for a road bed under certain restrictions.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills and joint resolution.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 100—Mr. Steedman—To establish a fourth sub-division of the fourth judicial district, and to provide for the election of judges therein—

With the following amendments, in which the concurrence of the Senate is requested:

First amendment—

After the enacting clause, strike out the balance of the first section of said bill, and insert in lieu thereof the following:

"That the state shall be divided into five common pleas districts, as follows:

"The county of Hamilton shall constitute the first district.

"The counties of Butler, Preble, Darke and Montgomery shall constitute the first sub-division; the counties of Champaign and Miami the second sub-division; the counties of Warren, Clinton, Greene and Clark the third sub-division; the counties of Clermont, Brown and Adams the fourth sub-division; the counties of Ross, Highland and Fayette the fifth sub-division; the counties of Pickaway and Madison the sixth sub-division; and the county of Franklin the seventh subdivision, of the second district; and together shall constitute such district.

"The counties of Logan, Union and Hardin shall constitute the first sub-division; the counties of Shelby, Auglaize, Allen, Mercer, Van Wert and Putnam the second sub-division; the counties of Paulding, Williams, Fulton, Defiance and Henry the third sub-division; the counties of Seneca, Hancock, Wyandot, Crawford, Marion and Wood the fourth sub-division; the counties of Ottawa and Erie the fifth sub-division; the counties of Morrow, Richland and Ashland the sixth sub-division; the county of Lucas the seventh sub-division; and the counties of Sandusky and Huron shall constitute the eighth sub-division, of the third district; and together shall constitute such third district.

"The county of Cuyahoga shall constitute the first sub-division; the

counties of Lorain, Medina and Summit the second sub-division; the counties of Geauga, Lake and Ashtabula the third sub-division; the counties of Carroll and Columbiana the fourth sub-division; the county of Stark the fifth sub-division; the counties of Trumbull, Portage and Mahoning the sixth sub-division, of the fourth judicial district; and together shall constitute such fourth district.

"The counties of Fairfield, Hocking and Perry shall constitute the first sub-division; the counties of Jackson, Vinton, Pike, Scioto and Lawrence the second sub-division; the counties of Gallia, Meigs, Athens and Washington the third sub-division; the counties of Muskingum, Morgan, Noble and Guernsey the fourth sub-division; the counties of Belmont and Monroe the fifth subdivision; the counties of Jefferson, Harrison and Tuscarawas the sixth sub-division; the counties of Licking, Knox and Delaware the seventh subdivision; the counties of Wayne, Holmes and Coshocton the eighth sub-division, of the fifth judicial district; and together shall constitute such fifth district."

Second amendment—

In the second line of section 2 strike out the words "fourth judicial," and insert "seventh sub-division of the third common pleas"

Third amendment—

Strike out all of the sixth line, after the word "years," and all of the seventh and eighth lines, and the first two words of the ninth line.

Fourth amendment—

Insert in line 1 of section 3, between the words "of" and "the," "the third sub-division of."

Fifth amendment—

In section 3, line 3, strike out "fourth judicial," and insert in lieu thereof "seventh sub-division of the third common pleas."

Sixth amendment—

Strike out of section 3 all of lines 5, 6, 7, 8, 9 and 10.

Seventh amendment—

Insert in line 7 of section 6, between "1870" and "be," the following: "And after the enacting clause, all of section 1 of the act entitled 'An act to change the common pleas districts of the state, and to give greater efficiency to the common pleas and district courts,' and to repeal certain parts of an act therein named, passed May 10, A. D. 1878."

Eighth amendment—

So amend section 7 that it shall read: "This act shall take effect and be in force from and after the first Monday in October, A. D. 1878."

By Mr. Williamson—

In line 16, section 1, strike out the words "Sandusky and Huron," and insert the word "and," between the words "Ottawa" and Erie."

In line 17 of section 1, insert after the words "seventh sub-division" the words "and the counties of Sandusky and Huron shall constitute the eighth sub-division."

By Mr. Oglevee—

Amend the title so that it shall read: "An act to establish the seventh and eighth subdivisions of the third common pleas district, and to provide for the election of judges, and to amend and repeal a part of a certain act therein named."

Attest: L. A. BRUNNER, *Clerk.*

The question being on agreeing to House amendments to S. B. No. 100—

Mr. Joy demanded a call of the Senate, and thirty Senators answered to their names.

Senators absent were: Messrs. Carson, Saltzgaber, Sherrick and Wagener.

On motion of Mr. Johnston, further proceedings under the call were dispensed with.

The question being on agreeing to House amendments to said S. B. No. 100, the yeas and nays were taken and resulted—yeas 27, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Marsh, McDonald, Richards, Sabine, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—27.

Mr. Parker voted in the negative—1.

So the amendments were agreed to.

Mr. Kelley, on leave, submitted the following report:

The standing committee on Public Printing, to whom was referred H. J. R. No. 46—Directing the clerks of the two Houses to prepare a calendar of unfinished business—

Having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended:

Add: "Provided that no additional compensation shall be allowed for such service."

J. C. Fisher, D. D. Beebe.
John H. Benson, Lindsey Kelley,
J. M. Armstrong.

The amendment was agreed to.

The question being on the adoption of the joint resolution, the yeas and nays were taken, and resulted—yeas 28, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Joy, Kelley, Krimmel, Marsh, McDonald, Parker, Richards, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Wilson—28.

So the resolution was adopted

Mr. Kelley, on leave, submitted the following report:

The standing committee on Public Printing, to whom was referred H. J. R. No. 49—

Having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended:

Strike out "School Commissioner's Report," and insert "volume of laws."

J. C. Fisher, D. D. Beebe,
John H. Benson, Lindsey Kelley,
J. M. Armstrong.

The amendment was agreed to.

The question being on the adoption of the joint resolution, the yeas and nays were taken and resulted—yeas 28, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel,

Lord. Marsh, McDonald, Richards, Sabine, Seitz, Sherrick, Steedman, Tyler, Wagener, Williams and Wilson—28.

Mr. Dungan voted in the negative—1.

So the resolution was adopted.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has agreed to the report of the Conference committee on—

H. B. No. 403—Mr. Alexander—Making appropriations for the year 1878 and for the first quarter of 1879.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 533—Mr. Harmon—To provide for the control and maintenance of libraries in certain cities, which, at the last Federal census had, and which at any subsequent Federal census may have, a population of 10,592.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

H. B. No. 179—Mr. Hitchcock, from committee on Finance—To authorize the trustees of Munson township, Geauga county, Ohio, to sell certain land.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 28, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Dungan, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Richards, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—28.

So the bill was passed. The title was agreed to.

Mr. Lord submitted the following report:

The second committee of Conference, to whom was referred the subject matter of difference between the two Houses upon—

H. B. No. 403—Mr. Alexander—Making appropriation for the fiscal year 1878, and the first quarter of 1879—

Having had the same under consideration, recommends as follows:

1. That the Senate recede from amendments 3, 9 *b*, 13, 16, 39, 40, 44, 53, 63, 64, 67 *a*.

2. That the House agree to amendments 2, 4, 9, 9 *a*, 15, 21, 29, 30 *a*, 32, 33, 43, 47, 48, 50, 52, 54, 56, 60, 61, 65, 67, 67 *b*.

3. That the House agree to first amendment, amended by striking out "eleven hundred and twenty-five," and inserting "ten hundred and thirteen."

4. House agree to fifth amendment, made to read "seven hundred."

5. House agree to eleventh amendment made to read "chief clerk,

fifteen hundred dollars; book keeper, eleven hundred and seventy-five dollars; land clerk, ten hundred and twenty-five dollars; general account and miscellaneous clerk, one thousand dollars; trust funds clerk, one thousand dollars; statistical, book and railroad clerk, eleven hundred and twenty-five dollars."

6. House agree to eighteenth amendment, made to read "two thousand and eighty-eight."

7. House agree to eighteenth amendment, made to read "seventeen hundred and fifty."

8. House agree to twenty-fifth amendment, made to read "ten hundred and thirteen."

9. House agree to twenty-sixth amendment, made to read "ten hundred and thirteen."

10. House agr e to twenty-seventh amendment, made to read "ten hundred and thirteen."

11. House agree to twenty-eighth amendment, made to read "ten hundred and thirteen."

12. House agree to thirty-first amendment, made to read "twenty hundred and twenty-five."

13. House agree to forty-second amendment, made to read "seventy."

14. House agree to forty-eighth amendment, with the following addition: "Provided, That no pay shall be allowed by the trustees for the services of an architect during the remainder of the time for which this appropriation is made."

15. House agree to fifty-fifth amendment, made to read "fourteen thousand, two hundred and forty-seven."

Upon the following appropriations the committee is unable to agree, and, therefore, makes no recommendations:

Nos. 6, 7, 7½, 30, 30*b*, 41, 45, 46.

H. C. Lord,
H. W. Curtiss,
J. C. Fisher,
Senate Committee.

Henry J. Booth,
A. R. Van Cleaf,
P. Hitchcock,
House Committee.

The question being on agreeing to the report of the committee, the yeas and nays were demanded, taken, and resulted—yeas 28, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Joy, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Steedman, Stokes, Tyler, Williams and Wilson—28.

Mr. Irvine voted in the negative—1.

So the report of the committee of Conference was agreed to.

Mr. Steedman moved that another committee of Conference be appointed on the matters of difference between the two Houses on H. B. No. 403.

Which was agreed to.

The President appointed as such committee, on the part of the Senate, Messrs. Steedman, Krimmel, and Johnston.

H. B. No. 25.—Mr. Washburn—Supplementary to "An act to provide for the appointment of commissioners to examine claims growing out of the Morgan Raid, and prescribing their duties," (Vol. 61, p. 85; S. & S., 466).

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Bens n, Carlisle, Carson, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Joy, Kelley, McDonald, Richards, Sabine, Seitz, Sherrick, Tyler, Wagener, Williams and Wilson—22.

Messrs. Curtiss and Saltzgaber voted in the negative—2.

So the bill was passed. The title was agreed to.

On motion of Mr. Benson, H. B. No. 449—To authorize the creation of a special school district in Canaan township, Morrow county—was taken from the table.

The bill having been read the third time—

The question recurred on the passage of the bill, on which motion the yeas and nays were taken, and resulted—yeas 22, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlilse, Carson, Curtiss, Howland, Johnston, Joy, Kelley, Marsh, Owens, Parker, Sabine, Saltzgaber, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—22.

So the bill was passed. The title was agreed to.

On motion of Mr. Steedman S. B. No. 182—Mr. Lord—Providing for the leasing of the Public Works of the State of Ohio—was taken up.

The bill having been read the third time—

The question recurred on the motion of Mr. Howland to refer to a select committee of one to amend.

Which was agreed to.

Mr. Howland was appointed such committee.

Mr. Howland, on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No. 182, with instructions to amend, reports the same back amended as instructed.

W. P. Howland.

Mr. Howland moved to refer the bill to a select committee of one, with instructions to amend as follows:

In section 1, line 2, strike out the words "board of public works of the state of Ohio," and insert "Governor, State Auditor and Treasurer."

In section 3, line 1, strike out the words "the said board of public works," and insert "the Governor, State Auditor and Treasurer."

Same section, line 18, strike out "board of public works" and insert "Governor, State Auditor and Treasurer."

In section 4, strike out all after the word "executed" in line 8 to the words "in behalf" in line 4, in same section, and insert "by the Governor."

In section 4, lines 9 and 10, strike out the words "the President of the board of public works," and insert "the Governor, State Auditor and Treasurer."

Section 6, line 4, insert after the words "public works," "upon the advice in writing of the Attorney General, and the approval of the Governor."

Section 6, line 9, after the word "board" insert "with the written advice and consent aforesaid."

In section 5, line 1, insert after the figure "5," the following:

"It shall be the duty of the Attorney General to prepare the form of the bonds and indentures of leases herein rqeuired."

In section 1, line 8, strike out the word "separately" and insert "in two divisions, the first division to include the Miami and Erie canal, and Western Reserve and Maumee road, and the second division to include all the other public works of the state."

Which was agreed to, and Mr. Howland was appointed such committee.

Mr. Howland, on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No. 182, with instructions to amend, reports the same back amended as instructed.

W. P. Howland.

Mr. Johnston moved to refer the bill to select committee of one, with instructions to amend as follows:

At the end of section 8 add the following:

"Provided, That said lessee or lessees shall not assign their lease or any interest therein, without the assent of the board of public works thereto, entered in writing on said lease, and upon the journal of said board, and in every such assignment the assignee shall be held to have assumed all liabilities to the State of the original lessee or lessees under this act, and be governed in every particular as by this act the original lessee or lessees are now bound, so far as the same be applicable thereto, but such assignment shall in no manner diminish or affect the liability of the original lessee or lessees or the sureties on their bond."

Which was agreed to, and Mr. Johnston was appointed such committee.

Mr. Johnston, on leave, submitted the following report:

The select committee of one, to whom was referred S. B. No. 182, with instructions to amend, reports the same back amended as instructed.

J. R. Johnston.

Mr. Forrest moved that the bill be referred to a select committee of one, with instructions to amend as follows:

Insert after section 13, the following:

Sec. 14. No lease shall be executed under the provisions of this act until after the final determination of an action now pending between the state of Ohio and the lessees of the board of public works, and unless such determination shall be in favor of the defendant.

Change section 14 to section 15.

On motion of Mr. Wilson the vote whereby the Senate advised and consented to the appointment of Samuel Taylor of Logan county to be Trustee of the Deaf and Dumb Asylum, was reconsidered.

The question recurred on the motion of Mr. Forrest to refer to a select committee of one, with instructions to amend.

The yeas and nays were demanded, taken, and resulted—yeas 11, nays 17, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, McDonald, Parker, Saltzgaber and Sherrick—11.

Those who voted in the negative were—

Messrs. Beebe, Beer, Benson, Howland, Jackson of Clinton, Johnston,

Joy, Kelley, Krimmel, Lord, Marsh, Richards, Sabine, Seitz, Tyler and Wilson—17.

So the motion to refer was isagreed to.

Mr. Joy demanded a call of the Senate, and thirty-two Senators answered to their names.

Senators absent were, Messrs. Carlisle and Krimmel.

On motion of Mr. Joy, further proceedings under the call were dispensed with.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays 9, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Curtiss, Howland, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Richards, Sabine, Saltzgaber, Seitz, Steedman, Tyler, Wagener, Williams and Wilson—22.

Those who voted in the negative were—

Messrs. Armstrong, Carson, Dungan, Fisher, Forrest, Grove, McDonald, Parker and Sherrick—9.

So the bill was passed. The title was agreed to.

Mr. Fisher moved that the vote whereby the Senate appointed the last committee of Conference on matters of difference between the two Houses on H. B. No. 403, be reconsidered.

Mr. Curtiss raised the point of order that, the committee having been appointed, the motion could not be reconsidered.

The president ruled the point of order well taken.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to—

H. B. No. 420—Mr. Haley—Authorizing the trustees of cemeteries of the village of Kenton, Hardin county, Ohio, to remove dead bodies from the cemetery in said village.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has refused to concur in Senate amendments to—

H. B. No. 407—Mr. Clough—Defining the power and prescribing the duties of the Board of Public Works.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 186—Mr. Tyler—For the relief of W. J. Jacobs and sureties, of Pleasant township, Brown county, O.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives accedes to the request of the Senate and has appointed Messrs. Washburn, Haley and Cowgill, as a committee of Conference to consider the remaining differences existing between the two Houses on—

H. B. No. 403—Mr. Alexander—Making appropriations for the year 1878, and for the first quarter of 1879.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to—

H. B. No. 388—Mr. Foster—To amend the third section of an act passed April 6, 1876, entitled an act supplementary to an act to provide for the reorganization and government of municipal corporations, passed April 27, 1872 (v. 73, page 108).

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested:

H. J. R. No. 57—Mr. Meuser—Rescinding Joint Resolution No. 1.

Attest: L. A. BRUNNER, *Clerk.*

The question being on the adoption of said resolution—

Mr. Joy demanded a call of the Senate, and thirty-three Senators answered to their names.

Mr. Grove was absent.

On motion of Mr. Joy, further proceedings under the call were dispensed with.

The question being on the adoption of the resolution—

Mr. Richards gave notice of his intention to discuss the resolution.

Mr. Owens raised the point of order that, inasmuch as a call of the Senate had intervened, notice to discuss was out of order.

The President decided the point of order well taken, from which decision Mr. Richards appealed to the Senate.

The question being "Shall the decision of the President stand as the judgment of the Senate?"—

The yeas and nays were taken, and resulted—yeas 20, nays 11, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Curtiss, Forrest, Grove, Irvine, Joy, Krimmel, Lord, McDonald, Owens, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—20.

Those who voted in the negative were—

Messrs. Beer, Fisher, Howland, Johnston, Kelley, Marsh, Parker, Richards, Sabine, Seitz and Wilson—11.

So the decision of the President was sustained.

The question being on the adoption of the resolution—

Mr. Forrest demanded the previous question.

The question being "Shall the main question now be put?" the yeas and nays were taken, and resulted—yeas 13, nays 20, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Forrest, Grove, Joy, Krimmel, Lord, Steedman, Tyler, Wagener and Williams—13.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Dungan, Fisher, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Stokes, and Wilson—20.

So the demand for the previous question was not sustained.

Mr. Howland moved that the resolution be laid upon the table.

On which motion, the yeas and nays were demanded, taken, and resulted—yeas 17, nays 17, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Curtiss, Dungan, Fisher, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Marsh, Owens, Parker, Richards, Sabine, Seitz and Wilson—17.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Forrest, Grove, Joy, Krimmel, Lord, McDonald, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—17.

So the motion to lay upon the table was disagreed to.

Mr. Johnston moved that the resolution be postponed until the second Tuesday of January, 1879.

On which motion—

The yeas and nays were demanded, taken and resulted—yeas 13, nays 19, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Curtiss, Dungan, Fisher, Howland, Jackson of Clinton, Johnston, Kelley, Parker, Richards, Sabine and Wilson—13.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Forrest, Grove, Joy, Krimmel, Lord, McDonald, Owens, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—19.

So the motion to postpone was disagreed to.

Mr. Wilson moved that the resolution be referred to the standing committee on Public Expenditures.

Which was disagreed to.

Mr. Seitz moved that the resolution be laid upon the table.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 16, nays 18, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Curtiss, Dungan, Fisher, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Owens, Parker, Richards, Sabine, Seitz and Wilson—16.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Forrest, Grove, Joy, Krim-

mel, Lord, Marsh, McDonald, Saltzgaber, Sherrick, Steedman, Tyler, Wagener and Williams—18.

So the motion was disagreed to.

Mr. Marsh moved that the Senate take a recess for half an hour.

On which motion, the yeas and nays were demanded, taken and resulted—yeas 13, nays 19, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Curtiss, Dungan, Howland, Marsh, Owens, Parker, Richards, Sabine, Seitz and Wilson—13.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Carson, Fisher, Forrest, Grove, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, McDonald, Saltzgaber, Steedman, Stocks, Tyler, Wagener and Williams—19.

So the motion was disagreed to.

Mr. Forrest demanded a call of the Senate, and 34 Senators answered to their names.

Mr. Jackson of Perry was absent on leave.

On motion of Mr. Carlisle, further proceedings under the call were dispensed with.

Mr. Sherrick moved to amend the resolution as follows:

Add at the end thereof, "And be it further resolved that this General Assembly adjourn on Tuesday, May 14, 1878, at 10 o'clock a. m, to meet on Tuesday, January 7, 1879, at 3 o'clock p. m."

Mr. Johnston moved to amend the amendment by striking out "10 o'clock" and inserting "9 o'clock."

Which was disagreed to.

The question being on agreeing to the amendment, the yeas and nays were demanded, taken and resulted—yeas 15, nays 17, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Forrest, Grove, Irvine, Marsh, McDonald, Parker, Saltzgaber, Seitz, Sherrick and Stokes —15.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Fisher, Howland, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Owens, Richards, Sabine, Steedman, Tyler and Wagener—17.

So the amendment was disagreed to.

The question recurring on the adoption of the resolution, the yeas and nays were demanded, taken and resulted—yeas 15, nays 18, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Carson, Forrest, Grove, Joy, Krimmel, Lord, Owens, Saltzgaber, Steedman, Stokes, Tyler, Wagener and Williams—15.

Those who voted in the negative were—

Messrs. Beebe, Beer, Benson, Curtiss, Dungan, Fisher, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Marsh, McDonald, Richards, Sabine, Seitz, Sherrick and Wilson—18.

So the resolution was lost.

Mr. Sherrick moved to reconsider the vote whereby H. J. R. No. 57 was lost.

On which motion, the yeas and nays were demanded, taken and resulted—yeas 18, nays 16, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Forrest, Grove, Joy, Krim-

mel, Lord, Owens, Parker, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—18.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Dungan, Fisher, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Marsh, McDonald, Richards, Sabine, Seitz and Wilson—16.

So the motion to reconsider was agreed to.

The question recurring on the adoption of the resolution—

Mr. Sherrick moved to amend as follows:

"And be it further resolved, that this General Assembly adjourn on Tuesday, the 14th day of May, 1878, at 12 o'clock m., to meet on Tuesday, January 7, 1879, at 3 o'clock p. m."

Mr. Seitz moved to amend by striking out "Tuesday," and inserting "Wednesday."

On which motion the yeas and nays were demanded, taken, and resulted--yeas 14, nays 17, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Forrest, Joy, Marsh, McDonald, Saltzgaber, Seitz, Stokes, Tyler, Wagener and Williams—14.

Those who voted in the negative were—

Messrs. Beebe, Beer, Dungan, Fisher, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, Owens, Richards, Sabine, Sherrick, Steedman and Wilson—17.

So the motion to amend the amendment was disagreed to.

The question being on agreeing to the amendment offered by Mr. Sherrick—

The yeas and nays were demanded, taken and resulted—yeas 15, nays 19, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Forrest, Grove, Joy, Parker, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—15.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Dungan, Fisher, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sabine, Seitz and Wilson—19.

So the amendment was disagreed to.

Mr. Sherrick moved that the resolution be laid upon the table.

On which motion, the yeas and nays were demanded, taken and resulted—yeas 16, nays 16, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Howland, Irvine, Kelley, Marsh, Owens, Richards, Sabine, Seitz and Sherrick—16.

Those who voted in the negative were—

Messrs. Armstrong, Carson, Forrest, Grove, Jackson of Clinton, Johnston, Joy, Krimmel, Lord, Saltzgaber, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—16.

So the motion was disagreed to.

Mr. Forrest moved that the Senate adjourn till 2 A. M. Monday next.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 17, nays 17, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Forrest, Grove, Krimmel,

Marsh, McDonald, Owens, Parker, Saltzgaber, Steedman, Stokes, Tyler, Wagener and Williams—17.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Dungan, Fisher, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Lord, Richards, Sabine, Seitz, Sherrick and Wilson—17.

So the motion was disagreed to.

Mr. Steedman moved that the Senate adjourn till 2:30 A. M. Monday.

On which motion the yeas and nays were demanded, taken and resulted—yeas 17, nays 17, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Forrest, Grove, Krimmel, Marsh, McDonald, Owens, Parker, Saltzgaber, Steedman, Stokes, Tyler, Wagener and Williams—17.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Dungan, Fisher, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Lord, Richards, Sabine, Seitz, Sherrick and Wilson—17.

So the motion was lost.

Mr. Steedman moved that the Senate adjourn until 2:35 A. M. on Monday.

Which was disagreed to.

Mr. Forrest moved that the Senate adjourn till 4 o'clock A. M. Monday.

On which motion the yeas and nays were demanded, taken and resulted—yeas 21, nays 11, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Forrest, Grove, Johnston, Joy, Krimmel, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—21.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Fisher, Howland, Jackson of Clinton, Kelley, Lord, Richards, Sabine and Wilson—11.

So the motion was agreed to, and the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

MONDAY, MAY 13, 1878—4 o'clock A. M.

The Senate met pursuant to adjournment.

The Journal was read and approved.

Mr. Steedman submitted the following report:

The committee of Conference, to whom were referred the matters of difference between the House and Senate on H. B. No. 403—

Having had the same under consideration, report as follows:

1. The committee recommend that Senate amendment No. 6 be amended so as to read as follows: Instead of "forty-four thousand" insert "forty thousand."

2. That Senate amendment No. 7 be amended by inserting "thirty thousand" instead of "thirty-five thousand."

3. That the House agree to Senate amendments Nos. 30 and 46.

4. The committee are unable to agree to Senate amendments Nos. $7\frac{1}{2}$, 30*b*, 41 and 45.

JAMES B. STEEDMAN,
J. R. JOHNSTON,
C. F. KRIMMEL,
On part of Senate.

J. W. WASHBURN,
JOHN HALEY,
THOS. A. COWGILL,
On part of House.

The question being on agreeing to the report of the committee of Conference, the yeas and nays were taken and resulted—yeas 30, nays none as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton. Johnston, Joy, Kelley, Lord, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Williams and Wilson—30.

So the report of the committee of Conference was agreed to.

Mr. Sherrick moved that the Senate recede from Senate amendment No. $7\frac{1}{2}$.

The yeas and nays were demanded, taken and resulted—yeas 20, nays 12, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Johnston, Kelley, Marsh, McDonald, Parker, Seitz, Sherrick, Stokes, Wagener, Williams and Wilson—20.

Those who voted in the negative were—

Messrs. Beebe, Curtiss, Howland, Jackson of Clinton, Joy, Krimmel, Owens, Richards, Sabine, Saltzgaber, Steedman and Tyler—12.

So the motion was agreed to.

Mr. Forrest submitted the following report:

The committee of Conference appointed to consider the condition of the business pending before the two Houses, has attended to that duty and finds that both a regard for the interests of the state, and the necessity of deliberation in disposing of important measures demand that this General Assembly adjourn at a later date than Monday, May 13, 1878, at 8:30 o'clock A. M.

W. T. FORREST,
JAMES B. STEEDMAN,
Senate Committee.

J. G. MEUSER,
A. J. SWAIM,
House Committee.

Mr. Howland moved that the report of the committee be laid upon the table.

On which motion the yeas and nays were demanded, taken and resulted—yeas 13, nays 20, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Curtiss, Fisher, Howland, Jackson of Clinton, Johnston, Kelley, Owens, Richards, Sabine, Seitz and Wilson—13.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Forrest, Grove, Joy, Krimmel, Lord, Marsh, McDonald, Parker, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—20.

So the motion was disagreed to.

The question being on the adoption of the report of the committee, Mr. Forrest demanded the previous question.

The question being "Shall the main question now be put?" the yeas and nays were demanded, taken and resulted—yeas 19, nays 11, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Forrest, Grove, Irvine, Joy, Krimmel, Lord, McDonald, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—19.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley, Owens, Richards, Sabine and Wilson—11.

So the demand for the previous question was sustained.

The question recurring upon the adoption of the report of the committee, the yeas and nays were demanded, taken and resulted—yeas 21, nays 11, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Forrest, Grove, Joy, Krimmel, Lord, McDonald, Owens, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—21.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Fisher, Howland, Johnston, Kelley, Marsh, Richards, Sabine and Wilson—11.

So the report of the committee was adopted.

Mr. Sherrick moved that H. J. R. No. 57 be taken from the table.

Mr. Wilson demanded a call of the Senate and thirty-four Senators answered to their names.

Mr. Jackson of Perry was absent on leave.

Mr. Fisher moved that further proceedings under the call be dispensed with.

On which, the yeas and nays were demanded, taken and resulted—yeas 24, nays 10, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine. Johnston, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, and Williams—24.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley, Richards, Sabine and Wilson—10.

So the motion was agreed to.

Mr. Sherrick moved that the rules be suspended and H. J. R. No. 57 be taken from the table.

Mr. Forrest demanded the previous question.

The question being "Shall the main question now be put?"

Mr. Richards moved that the Senate take a recess.

On which the yeas and nays were demanded, taken and resulted—yeas 10, nays 24, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley, Richards, Sabine and Wilson—10.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—24.

So the motion was disagreed to.

Mr. Howland moved that the demand for the previous question be laid upon the table.

On which the yeas and nays were demanded, taken, and resulted—yeas 9, nays 23, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Clinton, Johnston, Richards, Sabine and Wilson—9.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—23.

So the motion was disagreed to.

Mr. Richards submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled the following bills:

H. B. No. 492—Mr. Crosson—Amendatory to an act to authorize the commissioners of Hamilton and Clermont counties to build a bridge over the Little Miami river, passed April 7, 1876, (vol. 73, O. L., p. 286); as amended March 30, 1877, (O. L., p. 424.)

H. B. No. 396—Mr. Sage—To amend section 6 of an act entitled "An act to provide for the straightening, clearing out, widening, deepening and otherwise improving certain ditches, drains, and water-courses, in Wood county, Ohio," passed April 11, 1876, (O. L., vol. 73, p. 303.)

WM. JESSUP, DUNCAN DOW,
C. R. HARMON, F. M. CARTER,
R. G. RICHARDS, J. W. WASHBURN,
J. R. JOHNSTON.

Mr. Richards submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled, the following bill:

H. B. No. 526—For the relief of Joseph Stofer.

F. M. CARTER, C. R. HARMON,
WM. JESSUP, DUNCAN DOW,
J. W. WASHBURN, C. F. KRIMMEL,
A. D. MARSH, R. G. RICHARDS.

Mr. Johnston moved that the Senate adjourn.

On which motion the yeas and nays were demanded, taken and resulted—yeas 9, nays 21, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Curtiss, Jackson of Clinton, Johnston, Kelley, Richards, Sabine and Wilson—9.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest,

Grove, Irvine, Krimmel, Lord, McDonald, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—21.

So the motion to adjourn was disagreed to.

The question recurred, "Shall the main question now be put?"

On which the yeas and nays were demanded, taken and resulted—yeas 24, nays 10, as follows.

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—24.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley, Richards, Sabine and Wilson—10.

So the demand for the previous question was sustained.

The question now being on the motion of Mr. Sherrick, to suspend the rules and take from the table H. J. R. No. 57—

The yeas and nays were demanded, taken, and resulted—yeas 24, nays 10, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—24.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley, Richards, Sabine and Wilson—10.

So the motion was agreed to.

Mr. Steedman moved that H. J. R. No. 57 be taken from the table.

Mr. Richards moved that the motion to take from the table be laid upon the table.

On which the yeas and nays were demanded, taken and resulted—yeas 9, nays 23, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley, Richards, Sabine and Wilson—9.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—23.

So the motion was disagreed to.

Mr. Howland moved that the Senate adjourn.

On which the yeas and nays were demanded, taken and resulted—yeas 9, nays 24, as follows:

Those who voted in the affirmative were—

Messrs. Beer, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley, Richards, Sabine and Wilson—9.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—24.

So the motion to adjourn was disagreed to.

Mr. Howland moved that the Senate take a recess.

On which the yeas and nays were demanded, taken and resulted—yeas 10, nays 22, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley, Richards, Sabine and Wilson—10.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener and Williams—22.

So the motion was disagreed to.

The question now being "Shall the main question now be put?" the yeas and nays were demanded, taken and resulted—yeas 24 nays 10, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—24.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley, Richards, Sabine and Wilson—10.

So the demand for the previous question was sustained.

The question now recurred on the motion of Mr. Steedman to take from the table H. J. R. No. 57——

On which the yeas and nays were demanded, taken and resulted—yeas 24, nays 10, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—24.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley, Richards, Sabine and Wilson—10.

So the motion to take the resolution from the table was agreed to.

The question being on the adoption of the resolution—

Mr. Forrest demanded the previous question.

The question being "Shall the main question now be put?" the yeas and nays were demanded, taken, and resulted—yeas 24, nays 9, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—24.

Those who voted in the negative were—

Messrs. Beer, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley Richards, Sabine and Wilson—9.

So the demand for the previous question was sustained.

The question recurring on the adoption of the resolution, the yeas and nays were taken and resulted—yeas 22, nays 12, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Forrest, Grove,

Irvine, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—22.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Fisher, Howland, Jackson of Clinton, Johnston, Kelley, Parker, Richards, Sabine and Wilson—12.

So the resolution was adopted.

Mr. Johnston moved that the vote whereby the Senate receded from Senate amendment No. 7½ to H. B. No. 403, be reconsidered.

Mr. Forrest moved that the motion to reconsider be laid upon the table.

On which motion, the yeas and nays were demanded, taken and resulted—yeas 21, nays 12, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Joy, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener and Williams—21.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley, Lord, Richards, Sabine, Steedman and Wilson—12.

So the motion to lay upon the table was agreed to.

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 13th day of May, 1878.

To the Senate:

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint the following named gentlemen to be Trustees of the Institution for the Education of Idiotic and Imbecile youth, for the terms indicated:

John A. Shank, of Hamilton county, for one year.

J. K. Rukenbrod, of Columbiana county, for two years.

J. Miles Montgomery, of Franklin county, for three years.

Very respectfully,

RICHARD M. BISHOP, *Governor.*

On motion of Mr. Johnston, the nominations were referred to the committee on Benevolent Institutions.

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, May 11th, 1878.

To the Senate:

The nomination of Samuel Tailor, of Logan county, to be Trustee of the Asylum for the Deaf and Dumb, is hereby withdrawn, with the consent of the Senate.

Very respectfully, RICHARD M. BISHOP, *Governor.*

On motion of Mr. Steedman, the Senate acceded to the request of the Governor.

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT.

COLUMBUS, MAY 11th, A. D. 1878.

To the Senate:

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint Samuel Thomas, of Franklin county, to be Trustee of the Asylum for the Deaf and Dumb, for the term of three years.

Very respectfully, RICHARD M. BISHOP, *Governor.*

On motion of Mr. Steedman, the nomination was referred to the committee on Benevolent Institutions.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

H. B. No. 25—Mr. Washburn—Supplementary to an act to provide for the appointment of commissioners to examine claims growing out of the Morgan Raid and prescribing their duties (Vol. 61, p. 85, S. and S. 466.).

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 518—Mr. Seifert—To authorize the city of Lancaster, Ohio, to issue bonds to purchase cemetery grounds.

H. B. No. 540—Mr. Parker—For the relief of Geo. W. Woodward.

H. B. No. 504—Mr. Palmer—To amend an act entitled an act to authorize the city of Cleveland to fund certain railroad stocks, passed April 28, 1862 (vol. 59, p. 126).

H. B. No. 480—Mr. Poe—To amend section one of an act entitled an act for the relief of benevolent and charitable associations managed by women, passed March 30, 1866.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 46—Mr. Achauer—Supplementary to an act entitled "An act for the reorganization and maintenance of common schools," passed May 1, 1873. (O. L., v. 70, p. 195.)

H. B. No. 447—Mr. Groschner—To define certain water-courses.

H. B. No. 503—Mr. Clough—To legalize certain bonds issued by the commissioners of Butler county, and to authorize the payment thereof.

H. B. No. 145—Mr. Dempcy—To prevent the introduction and spread of a cattle disease, commonly known as Texas or Spanish Fever, by the importation and introduction of cattle into the state of Ohio, infected with or liable to impart to other cattle said disease, and providing for the recovery of damages caused by the introduction of such diseased cattle, from owners of such cattle.

H. B. No. 422—Mr. Sextro—Supplementary to the act entitled "An act for the relief of the poor, and to repeal certain acts therein named." (Ohio Laws, volume 73, page 233.)

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 438—Mr. Achauer—To authorize the commissioners of Muskingum county to borrow money and build a county infirmary.

H. B. No. 165—Mr. White—Supplementary to an act entitled "An act to provide for the creation and regulation of incorporated companies in the state of Ohio," passed May 1, 1852.

H. B. No. 449—Mr. Levering—To authorize the creation of a Special School District in Canaan township, Morrow county.

H. B. No. 544—Mr. Sawyer—To authorize the village of Minster, in the county of Auglaize, to issue bonds for the purpose therein named.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 337—Mr. Booth—To appropriate money to repair the public works and render them fit for navigation.

S. B. No. 100—Mr. Steedman—To establish a fourth subdivision of the fourth judicial district, and to provide for the election of judges therein.

H. B. No. 481—Mr. Townsend—To provide for the recording, in book form, of the military record of all persons who have served in the army of the United States in the war of the rebellion, which began April, A. D. 1861, and who were accredited to the state of Ohio as soldiers; and supplementary to an act entitled "An act appropriating money to pay for transcribing certain muster-rolls of Ohio volunteers into permanent record, and for obtaining information in regard to Union soldiers' graves, and providing for a suitable head-stone," passed May 7, 1877.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to—

H. B. No. 81—Mr. O'Connor—For the reorganization and better management of the Ohio Soldiers' and Sailors' Orphans' Home, located near Xenia, Ohio, and to repeal certain acts therein named.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 556—Mr. Johnson—To authorize the commissioners of Tuscarawas county to build one or more bridges within the village of Port Washington in said county.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 179—Mr. Saltzgaber—For the relief of Davis Johnson.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bill has been introduced in the House of Representatives, and read the first time:

H. B. No. 558—Mr. Perkins—To authorize the council of the incorporated village of Medina to build an engine house and town hall.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested:

H. J. R. No. 50—Mr. Poe—As to printing two thousand copies of the report of the Bureau of Labor Statistics in German.

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Benson the resolution was referred to the committee on Printing.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills and joint resolutions:

H. B. No. 439—Mr. Oglevee—To create a special school district in Madison township, Clark county.

H. B. No. 526—Mr. Bull—For the relief of Joseph Stofer.

H. J. R. No. 46—Mr. Washburn—Requiring the Clerk of the Senate and Clerk of the House to prepare and mail a calendar of the unfinished work to each member of this General Assembly.

H. J. R. No. 49—Mr. Greene—In relation to the publication of the metric system of weights and measures.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 541—Mr. Cowgill—To provide for keeping in repair, improved, graveled, macadamized, and free and abandoned turnpike roads in certain counties.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 489—Mr. Bohl—To amend an act entitled "An act to regulate companies doing an insurance business in the State of Ohio," passed April 27, 1872, as amended April 24, 1873.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 558—Mr. Perkins—To authorize the council of Medina to build an engine house and town hall.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 84—Mr. Crossley—For the protection of certain burial grounds, and to amend an act passed April 18, 1874, (O. L., v. 71, p. 109).

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 516—Mr. Klimper—To amend section 3 of the act of April 6, 1870, entitled "An act limiting the compensation of certain officers therein named, (vol. 67, p. 36) as amended March 14, 1878, (vol. 75, p. 45).

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 557—Mr. Bloom—To provide for the disbursement of the school fund in the city of Mansfield.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 404—Mr. Poe—Limiting the compensation of certain officers therein named.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled the following bill:

H. B. No. 41—To amend, revise and consolidate the statutes relating to municipal corporations, to be known as title twelve, part one, of the act to revise and consolidate the general statutes of Ohio.

IRVINE DUNGAN, J. W. WASHBURN,
WM. JESSUP, C. R. HARMON,
F. M. CARTER, DUNCAN DOW.

Mr. Johnston submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled the following bills:

H. B. No. 514—To create a village school district in Anderson township, Hamilton county, Ohio.

H. B. No. 381—To authorize the board of school directors of the special school district, Jefferson township, Guernsey county, Ohio, to levy an additional tax.

H. B. No. 513—To authorize the commissioners of Tuscarawas county, to make an additional levy for county purposes.

H. B. No. 420—Authorizing the trustees of cemeteries of the village of Kenton, Hardin county, Ohio, to remove dead bodies from the cemeteries in said village.

WM. JESSUP, C. R. HARMON,
DUNCAN DOW, J. R. JOHNSTON,
J. W. WASHBURN, R. G. RICHARDS,
F. M. CARTER.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bills:

H. B. No. 449—To authorize the creation of a special school district in Canaan township, Morrow county.

H. B. No. 165—Supplementary to an act entitled "An act to provide for the creation and regulation of incorporated companies in the State of Ohio," passed May 1, 1852.

H. B. No. 438—To authorize the commissioners of Muskingum county to borrow money and build a county infirmary.

H. B. No. 422—Supplementary to the act entitled "An act for the relief of the poor, and to repeal certain acts therein named," (O. L., v. 73, p. 233).

H. B. No. 145—To prevent the introduction and spread of a cattle disease, commonly known as Texas or Spanish fever, by the importation and introduction of cattle into the state of Ohio, infected with or liable to impart to other cattle said disease, and providing for the recovery of damages caused by the introduction of such diseased cattle, from owners of such cattle.

IRVINE DUNGAN, WM. JESSUP,
J. W. WASHBURN, DUNCAN DOW,
F. M. CARTER, C. R. HARMON.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled the following bill:

S. B No. 100—To establish the seventh and eighth subdivision of the third common pleas district, and to provide for the election of judges, and to amend and repeal a part of a certain act therein named.

IRVINE DUNGAN, F. M. CARTER,
J. R. JOHNSTON, R. G. RICHARDS,
DUNCAN DOW, WM. JESSUP.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled the following bills:

H. B. No. 518—To authorize the city of Lancaster, Ohio, to issue bonds to purchase county grounds.

H. B. No. 540—For the relief of George W. Woodward.

H. B. No. 504—To amend an act entitled "An act to authorize the city of Cleveland to fund certain railroad stocks," passed April 28, 1862, (v. 59, p. 126).

H. B. No. 46—Supplementary to an act entitled "An act for the reorganization and maintenance of common schools," passed May 1, 1873.

H. B. No. 480—To amend section 1 of an act entitled "An act for the relief of benevolent and charitable associations, managed by women," passed March 30, 1864.

IRVINE DUNGAN, C. R. HARMON,
J. W. WASHBURN, F. M. CARTER,
WM. JESSUP, DUNCAN DOW.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled the following bills:

Sub. for H. B. No. 439—To create a sub-school district in Madison township, Clark county, Ohio.

H. B. No. 503—To legalize certain bonds issued by the commissioners of Butler county, and to authorize the payment thereof.

H. B. No. 447—To define certain water-courses.

H. B. No. 544—To authorize the village of Minster, in the county of Auglaize, to issue bonds for the purpose therein named.

J. W. WASHBURN, C. R. HARMON,
F. M. CARTER, DUNCAN DOW,
WM. JESSUP, IRVINE DUNGAN.

Mr. Richards submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled the following bills and joint resolutions:

H. B. No. 428—To require the commissioners of the counties of Butler, Warren, Montgomery and Preble, to pay a local bounty.

H. B. No. 553—To amend section 56 of an act entitled "An act for the reorganization and maintenance of common schools," passed and took effect April 21, 1877, (O. L., v. 74, p. 108).

H. B. No. 530—To amend the act of April 12, 1877, entitled "An act to amend an act entitled an act to authorize trustees of townships to appropriate lands for cemetery purposes," passed and took effect April 3, 1867, (74 v., 87).

H. J. R. No. 49—In relation to the publication of the metric system of weights and measures.

H. J. R. No. 46—Requiring the Clerk of the Senate and Clerk of the House to prepare and mail a calendar of the unfinished work to each member of this General Assembly.

R. G. RICHARDS, F. M. CARTER,
WM. JESSUP, J. W. WASHBURN,
A. D. MARSH, C. R. HARMON,
D. DOW, C. F. KRIMMEL.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled the following bill:

H. B. No. 25—Supplementary to "an act to provide for the appoint-

ment of commissioners to examine claims growing out of the Morgan raid, and prescribing their duties, (v. 61, p. 85, S. & S. 466)—

IRVINE DUNGAN, J. R. JOHNSTON,
J. W. WASHBURN, F. M. CARTER,
E. S. PERKINS, C. R. HARMON,
DUNCAN DOW, WM. JESSUP.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled the following bill:

H. B. No. 337—To appropriate money to repair the public works, and render them fit for navigation.

IRVINE DUNGAN, A. D. MARSH,
E. S. PERKINS, J. W. WASHBURN,
C. R. HARMON, R. G. RICHARDS,
J. R. JOHNSTON.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled the following joint resolution:

H. J. R. No. 57—As to rescinding J. R. No. 1.

J. W. WASHBURN, W. JESSUP,
F. M. CARTER, A. D. MARSH,
IRVINE DUNGAN, C. F. KRIMMEL.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled the following bill:

S. B. No. 94—For the better organization and management of the Imbecile Asylum.

IRVINE DUNGAN, C. F. KRIMMEL,
R. G. RICHARDS, J. W. WASHBURN,
F. M. CARTER, C. R. HARMON,
D DOW.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled the following bill:

H. B. No. 81—For the reorganization and better management of the Soldiers' and Sailors' Orphans' Home, located at Xenia, and to repeal certain acts therein named.

IRVINE DUNGAN, J. W. WASHBURN,
F. M. CARTER, WM. JESSUP,
R. G. RICHARDS, C. F. KRIMMEL.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled the following bill:

S. B. No. 115—To revise and consolidate the laws relating to civil procedure in courts of common pleas and superior courts, in district courts on appeal, and also the laws relating to procedure in error, mandamas and quo warranto.

IRVINE DUNGAN, R. G. RICHARDS,
F. M. CARTER, C. R. HARMON,
D. DOW, J. W. WASHBURN.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has agreed to the report of the Conference committee on the difference between the two Houses on—

S. B. No. 94—Mr. Carlisle—

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bill, in which the concurrence of the Senate is requested:

H. B. No. 270—Mr. Hendrick—To authorize compensation to be paid members of boards of equalization and their assistants in certain cases.

Attest: L. A. BRUNNER, *Clerk.*

Said bill was read the first time.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to the following joint resolution:

H. J. R. No. 49—Mr. Greene—In relation to the publication of the metric system of weights and measures.

H. J. R. No. 46—Mr. Washburn—Requiring the Clerk of the Senate and House to prepare and mail a calendar of the unfinished business to each member of the General Assembly.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has refused to concur in the passage of the following bill:

S. B. No. 175—Mr. Fisher—To regulate loans by agricultural societies.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 102—Mr. Forrest—

With the following amendments, in which the concurrence of the Senate is requested:

Add to section 2, "and shall receive the sum of fifteen hundred dollars per annum for their services, and shall hold daily sessions."

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Forrest, the amendment was laid upon the table.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following joint resolution:

H. J. R. No. 57—Mr. Meuser—Rescinding J. R. No. 1—Providing for an adjournment.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said joint resolution.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has agreed to the report of committee of Conference appointed to consider the report of the business before both Houses.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 492—Mr. Crosson—Amendatory to "An act to authorize the commissioners of Hamilton and Clermont counties to build a bridge over the Little Miami river," passed April 7, 1876, (O. L., v. 73, p. 286), as amended March 30, 1877, (O. L., p. 424).

H. B. No. 513—Mr. Johnson—To authorize the commissioners of Tuscarawas county to make additional levy for county purposes.

H. B. No. 530—Mr. Van Cleaf—To amend an act of April 12, 1877, entitled "An act to amend an act entitled 'an act to authorize trustees of townships to appropriate lands for cemetery purposes,'" passed and took effect April 3, 1867, (74, v. 87).

H. B. No. 553—Mr. Kellogg—To amend section 50 of an act entitled "An act for the reorganization and maintenance of common schools," passed and took effect April 21, 1877, (O. L., v. 74, p. 108).

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 514—Mr. Sullivan of Hamilton—To create a village school district in Anderson township, Hamilton county, Ohio.

H. B. No. 381—To authorize the board of school directors of the special school district in Jefferson township, Guernsey county, Ohio, to levy an additional tax.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

Mr. Johnston submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled, the following bills:

H. B. No. 388—To amend an act passed April 6, 1876, entitled "An act supplementary to an act supplementary to an act to provide for the organization and government of municipal corporations," passed April 27, 1872, (v. 73, p. 108), and supplementary thereto.

H. B. No. 522—To authorize a temporary loan for sewerage purposes.

WM. JESSUP, J. W. WASHBURN,
F. M. CARTER, D. DOW,
J. R. JOHNSTON, R. G. RICHARDS.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 179—Mr. Hitchcock, from committee on Finance—To authorize the trustees of Munson township, Geauga county, Ohio, to sell certain lands.

H. B. No. 428—Mr. Luccock—To require the commissioners of the counties of Butler, Warren, Clinton, Clermont and Fayette, to pay a local bounty.

S. B. No. 150—Mr. Armstrong—To amend section 4 of an act regulating the Commercial Hospital of Cincinnati, passed March 11, 1861, (O. L., vol. 61, p. 142), and to repeal certain amendments thereto, passed January 26, 1875, (O. L., v. 72, p. 172).

H. B. No. 420—Mr. Haley—Authorizing the trustees of cemeteries of the village of Kenton, Hardin county, Ohio, to remove dead bodies.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 522—Mr. Loder—To authorize a temporary loan for sewerage purposes.

H. B. No. 388—Mr. Foster—To amend an act passed April 6, 1876, entitled "An act supplementary to an act to provide for the organization and government of municipal corporations," passed April 27, 1872, (v. 73, p. 108), and supplementary thereto.

H. B. No. 396—Mr. Sage—To amend section 6 of an act entitled "To provide for the straightening, clearing out, widening, deepening, and otherwise improving certain ditches, drains and water courses in Wood county, Ohio," passed April 11, 1876, (O. L., v. 73, p. 303).

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

On motion of Mr. Krimmel, the Senate took a recess until 10 o'clock A. M.

TEN O'CLOCK A. M.

The following bills were read the second time:

H. B. No. 131—Mr. Seifert—Relating to the Lincoln and soldiers' memorial monument.

To committee on Finance.

H. B. No. 539—Mr. Palmer—To admit women to the practice of law.

To committee on Judiciary.

Sub. for H. B. No. 498—Mr. Foster—To provide for the creation and regulation of corporate companies for the purpose of yachting, hunting, fishing, the protection of fish and game, and for lawful sporting purposes.

To committe on Corporations other than Municipal.

H. B. No. 533—Mr. Hayman—To provide for the control and maintenance of libraries in certain cities which at the last federal census had, and which at any subsequent federal census may have, a population of ten thousand, five hundred and ninety-two.

To committee on Universities and Colleges.

Mr. Curtiss submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 511—To authorize the council of the village of West Cleveland to issue bonds and levy a tax for water works purposes—

Having had the same under consideration, report it back, and recommend its passage.

H. W. CURTISS, JOHN SEITZ,
THOS. M. BEER, J. SHERRICK,
IRVINE DUNGAN, H. C. LORD.

The bill was ordered to be read the third time.

The bill was then read.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 24, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson, of Clinton, Johnston, Kelley, Marsh, Owens, Parker, Seitz, Sherrick, Tyler, Wagener, Williams and Wilson—24.

So the bill was passed. The title was agreed to.

Mr. Sherrick submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 554—To provide for the payment of certain expenses incurred by investigating committees of the House and Senate—

Having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended:

Strike out in line 4, section 1, "fifteen hundred dollars ($1500)" and insert "five hundred and seventy-eight dollars."

J. SHERRICK, IRVINE DUNGAN,
J. M. CARSON, JOHN SEITZ,
H. C. LORD, H. W. CURTISS.

The amendment was agreed to and the bill ordered engrossed at the Clerk's desk, and read the third time.

The bill was then read.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 27, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Krimmel, Marsh, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—27.

So the bill was passed. The title was agreed to.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred S. B. No. 190—Supplementary to an act to amend, revise and consolidate the statutes relating to municipal corporations, passed May 9, 1878—

Having had the same under consideration, report it back and recommend its passage.

THEO. MARSH, R. G. RICHARDS,
G. W. WILSON, G. A. GROVE,
JAMES B. STEEDMAN.

The bill was ordered engrossed at the Clerk's desk and read the third time.

The bill was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 28, nays none. as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlilse, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson, of Clinton, Johnston, Kelley, Krimmel, Lord, Marsh, Owens, Richards, Sabine, Seitz, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—28.

So the bill was passed. The title was agreed to.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 370—Supplementary to the act entitled "An act to amend an act entitled 'An act to regulate the election of state and county officers,'" passed May 3, 1852, passed April 2, 1870, (vol. 67, p. 47) and "An act supplementary to an act for the incorporation of townships," passed April 29, 1872, (vol. 69, p. 202)—

Having had the same under consideration, report it back, and recommend its passage.

THEO. MARSH, G. A. GROVE,
LYMAN J. JACKSON, R. G. RICHARDS,
G. W. WILSON, JAMES B. STEEDMAN.

The bill was ordered read the third time, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 28, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Richards, Seitz, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—28.

So the bill was passed. The title was agreed to.

Mr. Richards submitted the following report:

The joint committee on Enrollment have examined and found correctly enrolled the following bills:

H. B. No. 481—To provide for the recording in book form of the military record of all persons who served in the army of the United States in

the war of the rebellion which began April A. D. 1861, and who were accredited to the State of Ohio as soldiers, and supplementary to an act entitled "An act appropriating money to pay for transcribing certain muster rolls of Ohio volunteers into permanent record, and for obtaining information in regard to Union soldiers' graves and providing for a suitable head-stone," passed May 7, 1877.

H. B. No. 179—To authorize the trustees of the Christian Benevolent Society, of Munson township, Geauga county, Ohio, to sell certain land.

R. G. Richards, Wm. Jessup,
F. M. Carter, Duncan Dow,
C. F. Krimmel, C. R. Harmon,
J. W. Washburn, A. D. Marsh.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred S. B. No. 189—To amend section 154, chapter 5, division 5, of an act to amend, revise and consolidate the statutes relating to municipal corporations, passed May 9, 1878—

Having had the same under consideration, report it back and recommend its passage.

Theo. Marsh, R. G. Richards,
G. W. Wilson, G. A. Grove,
James B. Steedman.

The bill was ordered engrossed at the Clerk's desk and read the third time, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Curtiss, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Richards, Sabine, Seitz, Stokes, Tyler, Wagener, Williams and Wilson—24.

So the bill was passed. The title was agreed to.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred H. B. No. 546—To allow the city council of Hamilton to enter into a contract for the furnishing of gas for the lightning of the streets, alleys and public buildings and places therein—

Having had the same under consideration, report it back, with the following amendment, and recommend its passage when so amended:

Strike out the word and figure "ten (10)," in line 6, and insert in their stead the word and figure, "five (5)."

Theo. Marsh, G. A. Grove,
R. G. Richards, G. W. Wilson.

Said amendment was agreed to, and the bill was ordered to be engrossed at the Clerk's desk, and read the third time, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 26, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Grove, Howland, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Stokes, Williams and Wilson—26

So the bill was passed. The title was agreed to.

Mr. Irvine submitted the following report:

The standing committee on Insurance, to whom was referred H. B. No. 475—To amend the act of April 27, 1872, entitled "An act to regulate insurance companies doing an insurance business in the state of Ohio, (vol. 69, p. 140)—

Having had the same under consideration, report it back, and recommend its passage.

JOHN IRVINE, G. M. SALTZGABER,
C. S. PARKER, G. W. WILSON.

Said bill was ordered to be read the third time to-morrow.

Mr. Krimmel submitted the following report:

The standing committee on Benevolent Institutions, to whom was referred H. J. R. No. 44—To prevent the removal of insane persons from one district asylum to another—

Having had the same under consideration, report it back without recommendation.

C. F. KRIMMEL, G. A. GROVE,
THEO. MARSH, D. D. BEEBE,
GEO. P. TYLER.

Mr. Grove moved that the resolution be laid upon the table.

Which was disagreed to.

The question being on the adoption of the resolution, the yeas and nays were taken and resulted—yeas 22, nays 3, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Howland, Irvine, Johnston, Joy, Kelley, Krimmel, Lord, Parker, Sabine, Seitz, Sherrick, Tyler, Wagener and Wilson—22.

Messrs. Armstrong, Grove and Stokes voted in the negative—3.

So the resolution was adopted.

Mr. Irvine submitted the following report:

The standing committee on Insurance, to whom was referred H. B. No. 529—To amend an act entitled "An act to provide for establishing an insurance department in the state of Ohio," passed March 12, 1872, as amended April 26, 1873—

Having had the same under consideration, report it back, and recommend its passage.

JOHN IRVINE, G. M. SALTZGABER,
C. S. PARKER, THEO. MARSH.

The bill was ordered read the third time to-morrow.

On leave, the following bill was introduced and read the first time:

S. B. No. 192—Mr. Howland—To amend section 24 of an act to amend an act entitled "An act for the relief of the poor, and to repeal certain acts therein named," (73 vol., Laws 1873, 233).

The following bill having been informally passed, was taken up, read the second time, and referred to the committee on Judiciary—

Sub. for H. B. No. 365—Mr. Norton—To apportion the state of Ohio into congressional districts, and to repeal an act therein named.

Mr. Forrest moved that the vote whereby said bill was referred to the committee on Judiciary be reconsidered.

Mr. Carson demanded a call of the Senate, and thirty-two Senators answered to their names.

Senators absent were Messrs. McDonald and Saltzgaber.

On motion of Mr. Johnston, further proceedings under the call were dispensed with.

The question recurring on the motion of Mr. Forrest to reconsider the vote whereby Sub. for H. B. No. 365 was referred to the committee on Judiciary—

The yeas and nays were demanded, taken, and resulted—yeas 15, nays 15, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Fisher, Forrest, Grove, Krimmel, Marsh, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—15.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Dungan, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Owens, Parker, Richards, Sabine, Seitz and Wilson—15.

So the motion to reconsider was disagreed to.

Mr. Forrest submitted the following report:

The special committee of four Senators from Hamilton county, to whom was referred H. B. No. 112—To amend section 15 of the act entitled "An act to create a board of public works in certain cities having a population of 150,000 and upwards at the last Federal census," passed March 17, 1876, and section 344 of the act entitled "An act to provide for the organization and government of municipal corporations," passed May 7, 1869, as amended January 22, 1873—

Having had the same under consideration, report it back, and recommend that it be indefinitely postponed for the reason that its provisions have been incorporated in the municipal code.

W. T. Forrest, J. M. Armstrong,
Theo. Marsh, H. C. Lord.

The report of the committee was agreed to, and the bill was indefinitely postponed.

Mr. Beer moved that the constitutional rule requiring bills to be read "on three different days" be suspended that H. B. No. 557 may be read the second time.

On which motion the yeas and nays were taken and resulted—yeas 32, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—32.

So the bill was read the second time.

The bill was referred to the committee on Finance.

Mr. Forrest offered the following resolution:

S. J. R. No. 57—*Be it resolved by the General Assembly of the State Ohio*, That this General Assembly adjourn on Wednesday, May 15, 1878, at 9 o'clock A. M., to convene on Tuesday, January 7, 1879, at 3 o'clock P. M.

Mr. Johnston gave notice of his intention to discuss said resolution.

Mr. Forrest moved that the rules be suspended in order to have the resolution discussed now.

On which the yeas and nays were demanded, taken, and resulted—yeas 23, nays 5, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Wagener, Williams and Wilson—23.

Those who voted in the negative were—

Messrs. Curtiss, Howland, Johnston, Sabine and Tyler—5.

So the motion to suspend the rules was agreed to.

The question being on the adoption of the resolution the yeas and nays were taken, and resulted—yeas 30, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Marsh, McDonald, Owens, Parker, Richards, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—30.

Messrs. Lord and Sabine voted in the negative– 2.

So the resolution was adopted.

Mr. Carlisle moved that the Senate insist upon its amendment to H. B. No. 407, and ask for a committee of Conference on the same.

On which the yeas and nays were demanded, taken, and resulted—yeas 12, nays 11, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Grove, Johnston, Joy, Saltzgaber, Steedman, Wagener and Williams—12.

Those who voted in the negative were—

Messrs. Curtiss, Howland, Jackson of Clinton, Kelley, Marsh, McDonald, Owens, Parker, Sabine, Seitz and Wilson—11.

So the motion was agreed to.

The President, *pro tem*, appointed as such committee on the part of the Senate, Messrs. Marsh, Seitz and Wilson.

On motion of Mr. Johnston the Senate took a recess.

THREE O'CLOCK P. M.

Mr. Sherrick submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 557—To provide for the disbursement of the school funds of the city of Mansfield—

Having had the same under consideration, report it back, and recommend its passage.

J. Sherrick, H. C. Lord,
John Seitz, Irvine Dungan,
H. W. Curtiss, Thos. M. Beer.

The bill was ordered to be read the third time to-morrow.

Mr. Forrest moved that the committee on Judiciary be discharged from the further consideration of sub. for H. B. No. 365.

Mr. Tyler demanded a call of the Senate and twenty-eight Senators answered to their names.

The absentees were Messrs. Benson, Joy, Kelley, McDonald, Steedman and Wilson.

Mr. Richards moved that further proceedings under the call be dispensed with.

On which the yeas and nays were demanded, taken, and resulted—yeas 14, nays 11, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Curtiss, Dungan, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Marsh, Parker, Richards, Sabine and Seitz—14.

Those who voted in the negative were—

Messrs. Armstrong, Carlisle, Carson, Fisher, Forrest, Grove, Krimmel, Lord, Owens, Saltzgaber and Williams—11.

So the motion to dispense with further proceedings under the call was disagreed to.

Mr. Saltzgaber moved that the Sergeant-at-Arms be dispatched for absentees.

On which the yeas and nays were demanded, taken, and resulted—yeas 15, nays 8, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Carson, Dungan, Forrest, Grove, Irvine, Lord, Marsh, Saltzgaber, Sherrick, Stokes, Tyler, Wagener and Williams—15.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley and Sabine—8.

So the motion was agreed to.

Leave of absence for a half hour was granted Messrs. Dungan and Forrest.

Messrs. Benson and Steedman appeared and answered to their names.

Mr. Krimmel moved that further proceedings under the call be dispensed with.

Which was disagreed to.

Mr. Wilson appeared and answered to his name.

Mr. Johnston moved that further proceedings under the call be dispensed with.

Which was disagreed to.

Messrs. McDonald and Joy appeared and answered to their names.

Mr. Benson moved that further proceedings under the call be dispensed with.

Which was disagreed to.

Mr. Kelley appeared and answered to his name.

Mr. Howland moved that further proceedings under the call be dispensed with.

On which the yeas and nays were demanded, taken, and resulted—yeas 12, nays 18, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Carson, Fisher, Howland, Johnston, Kelley, Marsh, McDonald, Richards, Sherrick and Wilson—12.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Curtiss, Grove, Irvine, Jackson of Clinton, Joy, Krimmel, Owens, Parker, Sabine, Saltzgaber, Steedman, Stokes, Tyler, Wagener and Williams—18.

So the motion was disagreed to.

Mr. Seitz moved that the Senate adjourn.

On which the yeas and nays were demanded, taken, and resulted—yeas 14, nays 17, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Curtiss, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Marsh, Owens, Parker, Richards, Sabine and Wilson—14.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Fisher, Howland, Joy, Lord, McDonald, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—17.

So the motion to adjourn was disagreed to.

Mr. Irvine moved that further proceedings under the call be dispensed with.

On which the yeas and nays were demanded, taken, and resulted—yeas 25, nays 3, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Richards, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—25.

Those who voted in the negative were—

Messrs. Grove, Owens and Parker—3.

So the motion was agreed to.

The question recurring on the motion to discharge the committee on Judiciary from the further consideration of sub. for H. B. No. 365—

The yeas and nays were demanded, taken, and resulted—yeas 19, nays 14, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Forrest, Grove, Joy, Krimmel, Lord, Marsh, McDonald, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—19.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Dungan, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Owens, Parker, Richards, Sabine and Wilson—14.

So the motion was agreed to.

On motion of Mr. Richards the bill was referred to the standing committee on Privileges and Elections.

Mr. Marsh submitted the following report:

The Conference committee on H. B. No. 407 report that having had under consideration matters of difference between the two Houses on H. B. No. 407, by Mr. Clough, recommend as follows:

That the House concur in Senate amendments Nos. 1, 3 and 4, and that the Senate recede from Senate amendment No. 2.

THEO. MARSH,
JOHN SEITZ,
G. W. WILSON,
On part of the Senate.

H. P. CLOUGH,
WM H. REED,
M. L. DEMPCY,
On part of the House.

The question being on agreeing to the report of the committee of Conference—

The yeas and nays were demanded, taken, and resulted—yeas 26, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Joy, Kelley, Krimmel, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Tyler Wagener, Williams and Wilson—26.

Messrs. Johnston and Steedman voted in the negative—2.

So the report of the committee was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has appointed Messrs. Clough, Reed of Ross and Dempcy a committee of Conference to consider the differences existing between the two Houses on—

H. B. No. 407—Mr. Clough—Defining the power and prescribing the duties of the Board of Public Works.

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Johnston, the Clerk was directed to make out a certified copy of the Senate amendments to H. B. No. 22, for the Clerk of the House of Representatives.

Mr. Beer moved that the constitutional rule requiring bills to be read "on three different days" be suspended, that H. B. No. 558 may be read the second time.

On which motion, the yeas and nays were taken and resulted—yeas 30, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Steedman, Stokes, Wagener, Williams and Wilson—30.

So the motion was agreed to, and the bill read the second time, and referred to the committee on Finance.

Mr. Irvine submitted the following report:

The standing committee on Insurance, to whom was referred H. B. No. 538—In relation to the names of insurance companies—

Having had the same under consideration, report it back, and recommend its passage.

JOHN IRVINE, G. M. SALTZGABER,
C. S. PARKER, THEO MARSH.

The bill was ordered to be read the third time to-morrow.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has agreed to the report of the Conference committee on—

H. B. No. 403—Mr. Alexander—Making appropriations for the year 1878, and for the first quarter of 1879—

And has receded from its disagreement, and has agreed to Senate amendments Nos. 30*b*, 41 and 45.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

Amended H. B. No. 547—Mr. Sextro—Supplementary to an act entitled an act supplementary to the acts passed February 24, 1876, and April 24, 1877, supplementary to an act relating to cities of the first class, having a population exceeding 150,000 inhabitants, passed May 4, 1869, (O. L., v. 66, p. 80,) and to repeal Sec. 9 and a portion of Sec. 4 of said act, passed April 18, 1878.

H. B. No. 531—Mr. Sheets—To authorize the commissioners of Hancock county to levy an additional tax.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

Mr. Marsh moved that the constitutional rule requiring bills to be read "on three different days" be suspended, that H. B. No. 547 may be read the second time.

On which motion, the yeas and nays were taken, and resulted—yeas 31, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Lord, Marsh, McDonald, Owens, Parker, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—31.

Mr. Krimmel voted in the negative—1.

So the motion was agreed to, and the bill was read the second time, and referred to a select committee of four, Messrs. Marsh, Forrest, Lord and Armstrong.

Mr. Joy moved that the constitutional rule requiring bills to be read "on three different days" be suspended, that H. B. No. 531 may be read the second time.

On which motion, the yeas and nays were taken, and resulted—yeas 28, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Marsh, McDonald, Owens, Parker, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—28.

So the motion was agreed to, and the bill was read the second time and referred to the committee on Finance.

Mr. Saltzgaber submitted the following report:

The committee on Revision has examined and found correctly engrossed, H. B. No. 554.

J. C. FISHER,
G. M. SALTZGABER.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

H. B. No. 81—Mr. O'Connor—For the reorganization and better management of the Soldiers' and Sailors' Orphans' Home, located at Xenia, and to repeal certain acts therein named.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bill.

Mr. Marsh submitted the following report:

The standing committee on Municipal Corporations, to whom was referred Sub. for H. B. No. 395—Supplementary to an act entitled "an act to create a board of trustees of the sinking fund in cities of the first class, having a population of 180,000 or over, passed May 3, 1877, (O. L., v. 74, page 157)—

Having had the same under consideration, report it back, and recommend its indefinite postponement.

THEO MARSH, R. G. RICHARDS,
G. A. GROVE, JAMES B. STEEDMAN.

The report of the committee was agreed to, and the bill was indefinitely postponed.

Mr. Howland moved that the constitutional rule requiring bills to be read "on three different days" be suspended, that S. B. No. 192 may be read the second time.

On which motion, the yeas and nays were taken, and resulted—yeas 30, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—30.

Mr. Krimmel voted in the negative.—1.

So the motion was agreed to, and the bill read the second time, and referred to the committee on Judiciary.

Mr. Fisher submitted the following report:

The committee on Revision has examined, and found correctly engrossed H. B. No. 546.

J. C. FISHER,
G. M. SALTZGABER.

Mr. Krimmel submitted the following report:

The standing committee on Benevolent Institutions, to whom was referred the appointment of Samuel Thomas, of Franklin county, as trustee of the asylum for the deaf and dumb, for three years—

Having had the same under consideration, report it back, and recommend his confirmation.

C. F. KRIMMEL, H. W. CURTISS,
GEO. P. TYLER, D. D. BEEBE,
THEO. MARSH, B. W. CARLISLE.

The question being on agreeing to said appointment—

The yeas and nays were taken, and resulted—yeas 28, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Krimmel, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Williams and Wilson—28.

So the Senate advised and consented to said appointment.

Mr. Dungan, on leave, submitted the following report:

The standing committee on Universities and Colleges, to whom was referred H. B. No. 533—To provide for the control and maintenance of libraries, in certain cities which, at the last federal census, had, and which, at any subsequent federal census, may have, a population of 10,592—

Having had the same under consideration, report it back, and recommend its passage.

IRVINE DUNGAN, JOHN IRVINE,
W. T. FORREST, B. W. CARLISLE.

Mr. Dungan moved that the constitutional rule requiring bills to be read "on three different days" be suspended, that H. B. No. 533 may be read the third time.

On which motion the yeas and nays were taken, and resulted—yeas 27, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—27.

So the motion was agreed to, and the bill read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 27, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Johnston, Kelley, Krimmel, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Tyler, Wagener, Williams and Wilson—27.

So the bill was passed. The title was agreed to.

Mr. Curtiss, on leave, submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 558—To authorize the council of Medina to build an engine house and town hall—

Having had the same under consideration, report it back and recommend its passage.

H. W. CURTISS, IRVINE DUNGAN,
J. M. CARSON, THOS. M. BEER,
J. SHERRICK.

The bill was ordered to be read the third time to-morrow.

Mr. Wilson moved that the constitutional rule requiring bills to be read on three different days be suspended, that H. B. No. 541 may be read the second time.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 27, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Johnston, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Tyler, Wagener, Williams and Wilson—27.

So the motion was agreed to, and the bill was read the second time and referred to the committee on Roads and Highways.

Mr. Sherrick, on leave, submitted the following report:

The standing committee on Finance, to whom was referred H. B. No. 531—To authorize the commissioners of Hancock county to levy an additional tax—

Having had the same under consideration, report it back, and recommend its passage.

J. Sherrick, Irvine Dungan,
Thos. M. Beer, H. W. Curtiss,
John Seitz.

The bill was ordered to be read the third time to-morrow.

On motion of Mr. Beer H. B. No. 157 was taken from the table.

The bill having been read the third time, the question recurred upon the passage of the bill.

On which the yeas and nays were taken and resulted—yeas 30, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Forrest, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—30.

So the bill was passed. The title was agreed to.

Mr. Saltzgaber, on leave, submitted the following report:

The standing committee on Salaries and Fees of Public Officers, to whom was referred S. B. No. 185—To regulate the fees of county engineers—

Having had the same under consideration, report it back, and recommend its passage.

G. M. Saltzgaber, John H. Benson,
H. Sabine, G. W. Wilson.

The bill was ordered to be engrossed and read the third time to-morrow.

Mr. Lord, on leave, submitted the following report:

The standing committee on Privileges and Elections, to whom was referred H. B. No. 365—To apportion the state of Ohio into congressional districts, and to repeal an act therein named—

Having had the same under consideration, report it back, and recommend its passage.

H. C. Lord, W. T. Forrest,
C. F. Krimmel, G. M. Saltzgaber.

Mr. Forrest moved that the bill be made the special order for 10½ A. M. to-morrow.

Mr. Joy demanded a call of the Senate, and thirty-two Senators answered to their names.

Messrs. Benson and Krimmel were absent.

On motion of Mr. Forrest, further proceedings under the call were dispensed with.

The question recurring on the motion to make substitute for H. B. No. 365 the special order for 10½ o'clock A. M. to-morrow—

The yeas and nays were demanded, taken and resulted—yeas 19, nays 13, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Joy, Lord, Marsh, McDonald, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—19.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Owens, Parker, Richards, Sabine and Wilson—13.

So the motion was disagreed to, not having received a two-thirds vote.

The bill was ordered to be placed on the calendar for third reading to-morrow.

Mr. Carlisle, on leave, submitted the following report:

The standing committee on Roads and Highways, to whom was referred H. B. No. 541—To provide for keeping in repair improved, graveled and macadamized, free and abandoned, turnpike roads, in certain counties--

Having had the same under consideration, report it back, and recommend its passage.

B. W. Carlisle, J. C. McDonald,
C. S. Parker, Lindsey Kelley,
Thos. S. Jackson.

The bill was ordered to be read the third time to-morrow.

Mr. Forrest, on leave submitted the following report:

The standing committee on Judiciary, to whom was referred H. B. No. 539—To admit women to the practice of law—

Having had the same under consideration, report it back, and recommend its passsage.

W. T. Forrest, G. M. Saltzgaber,
Irvine Dungan, J. R. Johnston,
D. Wagener.

The bill was ordered to be read the third time to-morrow.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to—

H. B. No. 554--Mr. Bohl—To provide for the payment of certain expenses incurred by investigating committees of the House and Senate.

Attest: L. A. Brunner, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

H. B. No. 41—Mr. Booth—To amend, revise and consolidate the statutes relating to municipal corporations, to be known as title 12, part 1, of the act to revise and consolidate the general statutes of Ohio.

Attest: L. A. BRUNNER, *Clerk.*

The President *pro tem.*, in presence of the Senate, signed said bill.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to—

H. B. No. 546—Mr. Clough—To allow the city council of Hamilton to enter into a contract for the furnishing of gas for the lighting of the streets, alleys and public buildings and places therein.

Attest: L. A. BRUNNER, *Clerk.*

On motion of Mr. Curtiss, the Senate adjourned.

Attest: ALLEN O. MYERS, *Clerk.*

TUESDAY, MAY 14, 1878—10 o'clock A. M

The Senate met pursuant to adjournment.

The Journal was read and approved.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 190—Mr. Johnston—Supplementary to an act to amend, revise and consolidate the statutes relating to municipal corporations, passed May 9, 1878.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bills have been introduced in the House of Representatives and read the first time:

H. B. No. 559—Mr. Kellogg—Authorizing the commissioners of Lucas county to re-plank a certain road therein named.

H. B. No. 560—Mr. Worley—To amend sections 3 and 18 of an act entitled "An act to more effectually provide for the locating, establishing and constructing ditches, drains and water-courses, in townships," and to repeal certain acts therein named, passed April 18, 1874, (O. L., vol. 71, p. 124).

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has agreed to the report of the committee of Conference on—

H. B. No. 407—Mr. Clough—Defining the power and prescribing the duties of the Board of Public Works.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Forrest submitted the following report:

The committee of Conference, to whom was referred the matters of difference between the two Houses on S. B. No. 186—

Having had the same under consideration, recommend as follows:

First. That the Senate concur in House amendments Nos. 1 and 2.

Second. That the House recede from amendment No. 3.

W. T. FORREST,
J. R. JOHNSTON,
G. M. SALTZGABER,
Senate Committee.

HENRY BOHL,
MILO G. DODDS,
House Committee.

The question being on agreeing to the report of the committee, the yeas and nays were demanded, taken and resulted—yeas 23, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Johnston, Joy, Lord, Marsh, McDonald, Richards, Saltzgaber, Seitz, Stokes, Tyler, Wagener, Williams and Wilson--23.

So the report was agreed to.

Bills were read the second time and referred as follows:

H. B. No. 556—Mr. Johnson—To authorize the commissioners of Tuscarawas county to build one or more bridges within the corporate limits of the village of Port Washington, in said county.

To committee on Roads and Highways.

H. B. No. 489—Mr. Bohl—To amend an act entitled "An act to regulate companies doing an insurance business in the State of Ohio," passed April 27, 1872, as amended April 24, 1873.

To committee on Insurance.

H. B. No. 84—Mr. Crosley—For the protection of certain burial grounds, and to amend an act passed April 18, 1874, (O. L., v. 71, p. 109).

To committee on Sanitary Laws and Regulations.

H. B. No. 404—Mr. Poe—Limiting the compensation of certain officers therein named.

To committee on Fees and Salaries of Public Officers.

H. B. No. 270—Mr. Hendrick—To authorize compensation to be paid members of boards of equalization and their assistants, in certain cities.

To committee on Fees and Salaries of Public Officers.

H. B. No. 516—Mr. Klimper—To amend section 3 of the act of April 6, 1870, entitled "An act limiting the compensation of certain officers therein named, (vol. 67, p. 36), as amended March 14, 1878, (vol. 75, p. 45).

Mr. Forrest moved that the constitutional rule requiring bills to be read on three different days be suspended, that said H. B. No. 516 may be read the third time.

On which motion the yeas and nays were taken, and resulted—yeas 27, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Lord, Marsh, McDonald, Richards, Saltzgaber, Seitz, Sherrick, Stokes, Tyler, Wagener, Williams and Wilson—27.

So the motion was agreed to, and the bill was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 20, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Krimmel, Lord, Marsh, McDonald, Saltzgaber, Sherrick, Stokes, Tyler, Wagener and Williams—20.

Mr. Johnston voted in the negative—1.

So the bill was passed. The title was agreed to.

Mr. Marsh submitted the following report:

The select committee of four, from Hamilton county, to whom was referred amended H. B. No. 547—Supplementary to an act entitled "An act supplementary to the acts passed February 24, 1876, and April 24, 1877, supplementary to an act relating to cities of the first class having a population exceeding 150,000 inhabitants," passed May 4, 1869, (O. L., v. 66, p. 80), and to repeal section 9 and a portion of section 4 of said act, passed April 18, 1878—

Having had the same under consideration, report it back without recommendation.

THEO. MARSH, H. C. LORD,
W. T. FORREST, J. M. ARMSTRONG.

Said bill was ordered to be engrossed and read the third time now, and was then read.

Mr. Forrest moved to refer the bill to a select committee of one, with instructions to amend as follows:

To amend section 3, by adding after the word "bids," in line 24, the words, "Provided that no vote shall be taken under the provisions of this act until after the trustees shall have made diligent effort, and failed, to lease said road, with provision for its completion; and, provided further, that no action shall be taken under the provisions of this act until after the resignation or removal of such of said trustees as were originally appointed, and after the selection and appointment of their successors."

Which was disagreed to.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 26, nays 3, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Grove, Jackson of Clinton, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—26.

Those who voted in the negative were—

Messrs. Fisher, Forrest and Howland—3.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 14TH DAY OF MAY, 1878.

To the Senate:

I have the honor to nominate, and by and with the advice and consent of the Senate, appoint, the following named gentlemen, to be Trustees of the Ohio Soldiers' and Sailors' Orphans' Home, at Xenia, for the terms indicated:

Barnabus Burns, of Richland county, for one year.
Brisbin C. Blackburn, of Coshocton county, for two years.
A. M. Stark, of Greene county, for three years.
A. Stimson, of Fayette county, for four years.
John Kirkpatrick, of Guernsey county, for five years.

Very respectfully,

RICHARD M. BISHOP, *Governor.*

On motion of Mr. Krimmel, said message was referred to the committee on Soldiers' and Sailors' Orphans' Home.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested:

H. J. R. No. 54—Mr. White—To permit the Tyndal Association to arrange a time-ball on the State House.

Mr. Richards moved that said joint resolution be referred to the committee on State Buildings.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has passed the following bills, in which the concurrence of the Senate is requested:

H. B. No. 559—Mr. Kellogg—To authorize the commissioners of Lucas county to repair a certain road therein named.

H. B. No. 524—Mr. Foster—To authorize the incorporation of associations for the purpose of the reclamation of both men and women from lives of intemperance and immorality.

Attest: L. A. BRUNNER, *Clerk.*

Said bills were read the first time.

H. B. No. 475—Mr. Bohl—To amend the act of April 27, 1872, entitled "An act to regulate insurance companies doing an insurance business in the state of Ohio," (69 volume, 140).

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 25, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Carson, Dungan, Fisher, Forrest, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Richards, Saltzgaber, Seitz, Steedman, Stokes, Wagener, Williams and Wilson—25.

So the bill was passed. The title was agreed to.

Mr. Dungan moved that a message be sent to the Secretary of State, requesting the return of H. B. No. 41, for the purpose of correcting an error in enrollment.

Which was agreed to.

H. B. No. 529—Mr. Bohl—To amend an act entitled "An act to provide for establishing an insurance department in the state of Ohio," passed March 12, 1872, as amended April 26, 1873.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 25, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Irvine, Johnston, Joy, Kelley, Krimmel, McDonald, Owens, Richards, Saltzgaber, Seitz, Steedman, Stokes, Tyler, Williams and Wilson—25.

Messrs. Howland and Sabine voted in the negative—2.

So the bill was passed. The title was agreed to.

Mr. Kelley moved that the Senate take a recess.

Which was disagreed to.

H. B. No. 557—Mr. Bloom—To provide for the disbursement of the school fund in the city of Mansfield.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 25, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Howland, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Marsh, McDonald, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler and Wilson—25.

So the bill was passed. The title was agreed to.

H. B. No. 538—Mr. Bohl—In relation to the names of insurance companies.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 24, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Irvine, Johnston, Kelley, Krimmel, Marsh, Richards, Sabine, Saltzgaber, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—24.

So the bill was passed. The title was agreed to.

H. B. No. 558—Mr. Perkins—To authorize the council of Medina to build an engine house and town hall.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 32, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dun-

gan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—32.

Mr. Seitz voted in the negative—1.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 44—Mr. Sextro—To provide for the re-organization, government, and better regulation of Longview Asylum, and to repeal certain acts therein named.

H. B. No. 370—Mr. Loder—Supplementary to the acts entitled "An act to amend an act entitled 'An act to regulate the election of state and county officers,'" passed May 3, 1852, passed April 2, 1870 (vol. 67, p. 47), and "An act supplementary to an act for the incorporation of townships," passed April 29, 1872 (vol. 69, p. 202).

H. B. No. 403—Mr. Alexander—Making appropriations for the fiscal year 1878, and for the first quarter of the fiscal year 1879.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

Mr. Johnston moved that the Senate take a recess.

Which was disagreed to.

S. B. No. 185—Mr. Carlisle—To regulate the fees of county engineers.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays 6, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Joy, Krimmel, Lord, Marsh, McDonald, Richards, Sabine, Saltzgaber, Steedman, Wagener, Williams and Wilson—22.

Those who voted in the negative were—

Messrs. Carson, Curtiss, Johnston, Kelley, Owens and Seitz—6.

So the bill was passed. The title was agreed to.

Sub. for H. B. No. 365—Mr. Norton—To apportion the state of Ohio into congressional districts, and to repeal an act therein named.

Was read the third time.

Mr. Dungan moved to refer the bill to a select committee of one, with instruction to amend as follows:

In section 1 strike out after the words "ninth district" the words "Madison, Delaware, Franklin and Pickaway," and insert the words "Franklin, Pickaway, Madison, Delaware and Fayette."

After the words "tenth district" strike out the words "Hocking, Fairfield, Vinton, Ross, Pike and Fayette," and insert the words "Fairfield, Hocking, Vinton, Gallia and Meigs."

After the words "twelfth district" strike out the words "Scioto, Jackson, Lawrence, Gallia and Meigs," and insert the words "Scioto, Pike, Ross, Jackson and Lawrence."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 31, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Irvine, Jackson of Clinton, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sabine, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—31.

Messrs. Johnston and Kelley voted in the negative—2.

So the motion was agreed to, and Mr. Dungan was appointed such committee.

Mr. Dungan, on leave, submitted the following report:

The select committee of one, to whom was referred sub. for H. B. No. 365, with instructions to amend, reports the same back, amended as instructed.

IRVINE DUNGAN.

Mr. Johnston moved that said bill be laid upon the table and ordered printed.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 11, nays 22, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley, Owens, Richards, Sabine and Wilson—11.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Joy, Krimmel, Lord, Marsh, McDonald, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—22.

So the motion was disagreed to.

Mr. Wilson moved that the bill be referred to a select committee of one, with instructions to amend as follows:

Transfer Madison county from the 9th to the 4th district.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 12, nays 18, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Curtiss, Fisher, Howland, Jackson of Clinton, Johnston, Joy, Kelley, Richards, Sabine and Wilson—12.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Forrest, Grove, Irvine, Krimmel, McDonald, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—18.

So the motion was disagreed to.

Mr. Johnston moved that the Senate take a recess.

On which motion the yeas and nays were demanded, taken, and resulted—yeas 12, nays 18, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Beer, Curtiss, Fisher, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Richards, Sabine and Wilson—12.

Those who voted in the negative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Forrest, Grove, Joy, Krimmel, Lord, McDonald, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—18.

So the motion was disagreed to.

The question being on the passage of the bill, Mr. Steedman demanded the previous question.

The question being "Shall the main question now be put?" the yeas and nays were taken, and resulted—yeas 19, nays 12, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Forrest, Grove, Joy, Krimmel, Lord, McDonald, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—19.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Fisher, Howland, Jackson of Clinton, Johnston, Kelley, Owens, Richards, Sabine and Wilson—12.

So the previous question was sustained.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays 10, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, Grove, Irvine, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Saltzgaber, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—23.

Those who voted in the negative were—

Messrs. Beebe, Beer, Curtiss, Howland, Jackson of Clinton, Johnston, Kelley, Richards, Sabine and Wilson—10.

So the bill was passed. The title was agreed to.

Mr. Johnston moved to amend the title by striking out the word "apportion" and insert in lieu thereof the word "gerrymander."

On which motion the yeas and nays were demanded, taken and resulted—yeas 6, nays 23, as follows:

Those who voted in the affirmative were—

Messrs. Beer, Howland, Johnston, Kelley, Richards and Wilson—6.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Krimmel, Lord, Marsh, McDonald, Owens, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—23.

So the motion was disagreed to.

The title was agreed to.

On motion of Mr. Tyler the Senate took a recess.

THREE O'CLOCK P. M.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

Sub. for S. B. No. 137—Mr. Lord—To provide for the appointment of inspectors and deputy inspectors of mineral oils and other substances, to regulate the sale of the same for illuminating purposes, and to repeal certain acts therein named—

With the following amendments, in which the concurrence of the Senate is requested:

In line 63, Sec. 1, strike out "ten" and insert "twenty."

In line 64, after the word "state," insert: "Provided, however, that it

shall be held and deemed to be a sufficient compliance with the provisions of this section to test the oil or oils therein described by an apparatus known as the "Foster cup," or Foster's automatic oil tester, designed by James Foster, jr., Cincinnati. And it shall be lawful to sell, for illuminating purposes, any oil or oils herein described, to be consumed within this state, which will bear a flash test of 120° Fahrenheit, as shown by said apparatus; and the said state inspector is hereby authorized to substitute the test by the Foster cup, or Foster's automatic oil tester, designed by James Foster, jr , Cincinnati, instead of the test by the open cup, as herein provided, if, in his judgment, by such change a greater uniformity of test throughout the State will be secured.

In line 8, Sec. 7, strike out the word "ten" and insert "twenty."

In line 3, Sec. 11, strike out "ten" and insert "twenty."

Sec. 1, line 26, strike out all after the word "water-bath," to and including the word "cup," in line 27.

In lines 38 and 39, same section, strike out the words "the oil again stirred."

In line 44, same section, strike out all after the word "removed" to the end of the line.

In Sec. 10, line 2, after the word "article," insert "in which petroleum or the product thereof is a constituent part."

At the end of Sec. 10, add as follows: "All questions of dispute arising between the inspectors and manufacturers or dealers shall be submitted to the state chemist, at the Agricultural college of Columbus, Ohio, for his consideration, and his decision shall be final."

Attest: L. A. BRUNNER, *Clerk.*

The question being on concurring in said House amendments, the yeas and nays were demanded, taken, and resulted—yeas 22, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Curtiss, Dungan, Fisher, Grove, Jackson of Clinton, Johnston, Kelley, Lord, Marsh, McDonald, Owens, Parker, Richards, Seitz, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—22.

Mr. Howland voted in the negative—1.

So the Senate concurred in said amendments.

Mr. Johnston submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following bill:

H. B. No. 546—To allow the city council of Hamilton to enter into a contract for the furnishing of gas for the lighting of the streets, alleys, and public buildings and places therein.

IRVINE DUNGAN, F. M. CARTER,
WM. JESSUP, A. D. MARSH,
J. W. WASHBURN, DUNCAN DOW,
R. G. RICHARDS, J. R. JOHNSTON.

Mr. Richards offered the following joint resolution:

S. J. R. No. 58—*Be it resolved by the General Assembly of the State of Ohio*, That the Board of Public Works of the state of Ohio be and they are hereby authorized to permit W. L. O'Brien and John S. G. Burt, their heirs or assigns, to use and occupy the berme bank of the Hocking Valley canal, from Carroll, in Fairfield county, to Athens, in Athens county,

for the purpose of constructing and operating a standard, or narrow gauge, railway thereon: Provided, however, that the said W. L. O'Brien and John S. G. Burt, their heirs or assigns, before taking possession of said berme bank, shall agree and contract with the state of Ohio to give a penal bond in the sum of ten thousand dollars ($10,000), acceptable to the Board of Public Works, for the faithful carrying out of the following provisions:

1. A contract shall be prepared by the Attorney General of the state, binding the said W. L. O'Brien and John S. G. Burt, their heirs or assigns, occupying said berme bank, to forever keep the same in good repair for canal purposes, which repairs shall be made under the direction of the Board of Public Works; and in case the said W. L. O'Brien and John S. G. Burt, their heirs or assigns, shall refuse or neglect to repair said bank, the right of the said W. L. O'Brien and John S. G. Burt, their heirs or assigns, to use or occupy said bank shall cease, and the state shall be entitled to the immediate possession of the same.

2. The said W. L. O'Brien and John S. G. Burt, their heirs or assigns, are to pay to the state an annual rental of not less than five hundred dollars ($500), for the said use of the said berme bank, to be paid every six months in advance, and any failure on the part of the said W. L. O'Brien and John S. G. Burt, their heirs or assigns, to make such payment within thirty (30) days after the same shall become due, shall entitle the state to take immediate possession of said bank.

3. The said W. L. O'Brien and John S. G. Burt, their heirs and assigns, are hereby and forever prohibited from making any combination with the Columbus & Hocking Valley railroad company in regard to freight and passenger rates; and if any such combination is made, the state shall be entitled to take immediate possession of said berme bank.

It shall be the duty of the Attorney General, and he is hereby instructed, to prepare the necessary papers for the carrying of the foregoing provisions into effect, when they shall be signed by the Board of Public Works, and the seal of said board shall be attached thereto, and one copy of the same shall be given to the said W. L. O'Brien and John S. G. Burt, and another duly recorded in the office of said board, as a matter of record.

Mr. Howland moved that said joint resolution be referred to the committee on Public Works and Public Lands, with the privilege to report at will.

On which motion, the yeas and nays were taken, and resulted—yeas 16, nays 7, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Carson, Curtiss, Dungan, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, McDonald, Richards, Seitz, Wagener, and Wilson—16.

Those who voted in the negative were—

Messrs. Forrest, Krimmel, Lord, Marsh, Parker, Steedman and Williams—7.

So the motion was agreed to.

H. B. No. 541—Mr. Cowgill—To provide for keeping in repair improved, graveled, macadamized and free and abandoned turnpike roads, in certain counties.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 20, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Curtiss, Dungan, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Kelley, Krimmel, Marsh, McDonald, Owens, Steedman, Tyler, Wagener, Williams and Wilson—20.

So the bill was passed. The title was agreed to.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled the following bill:

S. B. No. 186—For the relief of W. J. Jacobs and sureties, of Pleasant township, Brown county, O.

IRVINE DUNGAN, C. F. KRIMMEL,
R. G. RICHARDS, WM. JESSUP,
F. M. CARTER, A. D. MARSH,
E. S. PERKINS.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled the following bill:

H. B. No. 403—Making appropriations for the fiscal year 1878, and for the first quarter of the fiscal year 1879.

IRVINE DUNGAN, J. R. JOHNSTON,
J. W. WASHBURN, WM. JESSUP,
A. D. MARSH, E. S. PERKINS,
F. M. CARTER.

Mr. Dungan submitted the following report:

The joint committee on Enrollment have examined and found correct enrolled the following bill:

S. B. No. 94—For the better organization and management of the Imbecile Asylum.

IRVINE DUNGAN, R. G. RICHARDS,
C. F. KRIMMEL, J. W. WASHBURN,
F. M. CARTER, WM. JESSUP,
A. D. MARSH.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled the following bills:

H. B. No. 370—Supplementary to the acts entitled an "act to amend an act entitled an act to regulate the election of State and county officers," passed May 3, 1852, passed April 2, 1870, (67*v*, 47,) and an act supplementary to an act for the incorporation of townships, passed April 29, 1872, (69*v*, 202).

H. B. No. 533—To provide for the control and maintenance of libraries in certain cities which, at the last federal census, had, and which, at any subsequent federal census may have, a population of 10,592.

IRVINE DUNGAN, WM. JESSUP,
R. G. RICHARDS, A. D. MARSH,
J. W. WASHBURN, F. M. CARTER.

The following communication was received from the Secretary of State:

STATE OF OHIO, DEPARTMENT OF STATE,

COLUMBUS, MAY 14, 1878.

ALLEN O. MYERS, ESQ., Clerk of the Senate:

MY DEAR SIR—In reply to your communication of this date in reference to the action of the Senate requesting the return of H. B. No. 41, (municipal code,) I have to say that the bill referred to has been duly filed in this office, and recorded by its title. I am in doubt as to my right to surrender up the custody of the same, and have submitted the question to the Attorney General for his opinion.

Very respectfully, your obedient servant,

MILTON BARNES, *Secretary of State.*

H. B. No. 539—Mr. Palmer—To admit women to the practice of law.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 21, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Jackson of Clinton, Johnston, Joy, Krimmel, Marsh, McDonald, Parker, Richards, Steedman, Tyler, Wagener and Wilson—21.

Messrs. Carson and Kelley voted in the negative—2.

So the bill was passed. The title was agreed to.

H. B. No. 531—Mr. Sheets—To authorize the commissioners of Hancock county to levy an additional tax.

Was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 20, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carson, Curtiss, Fisher, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Marsh, McDonald, Parker, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—20.

So the bill was passed. The title was agreed to.

Mr. Armstrong submitted the following report:

The standing committee on Soldiers' and Sailors' Orphans' Home, to whom was referred the nomination by the Governor of Barnabus Burns, Brisbin C. Blackburn, A. M. Stark, A. Stimson and John Kirkpatrick to be trustees of the Soldiers' and Sailors' Orphans' Home at Xenia—

Having had the same under consideration, report it back, and recommend that the Senate do advise and consent to said appointments.

J. M. ARMSTRONG, C. F. KRIMMEL,
JOHN SEITZ, J. B. WILLIAMS,
GEO. P. TYLER, W. H. STOKES,
G. W. WILSON.

The Senate proceeded to advise and consent to the appointment of Barnabus Burns.

On which the yeas and nays were taken, and resulted—yeas 23, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Irvine, Jackson of Clinton, Joy, Kelley, Krimmel, Lord,

Marsh, McDonald, Parker, Seitz, Steedman, Stokes, Tyler and Williams—23.

Mr. Johnston voted in the negative—1.

So the Senate advised and consented to said appointment.

The Senate proceeded to advise and consent to the appointment of Brisbin B. Blackburn.

On which the yeas and nays were taken, and resulted—yeas 23, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Irvine, Jackson of Clinton, Kelley, Marsh, McDonald, Owens, Parker, Richards, Seitz, Steedman, Stokes, Tyler, Williams and Wilson—23.

So the Senate advised and consented to said appointment.

The Senate proceeded to advise and consent to the appointment of A. M. Stark.

On which the yeas and nays were taken, and resulted—yeas 23, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carson, Curtiss, Dungan, Fisher, Grove, Irvine, Jackson of Clinton, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Sabine, Seitz, Steedman, Stokes, Tyler, Williams and Wilson—23.

So the Senate advised and consented to said appointment.

The Senate proceeded to advise and consent to the appointment of A. Stimson.

On which the yeas and nays were taken, and resulted—yeas 22, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carson, Curtiss, Dungan, Fisher, Grove, Jackson of Clinton, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Stokes, Tyler and Williams—22.

So the Senate advised and consented to said appointment.

The Senate proceeded to advise and consent to the appointment of John Kirkpatrick.

On which the yeas and nays were taken, and resulted—yeas 23, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Irvine, Jackson of Clinton, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Stokes, Williams and Wilson—23.

So the Senate advised and consented to said appointment.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

H. B. No. 546—Mr. Clough—To allow the council of Hamilton to enter into a contract for the furnishing of gas for the lighting of the streets, alleys, and public buildings and places therein.

Attest: L. A. Brunner, *Clerk.*

The President, in presence of the Senate, signed said bill.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

S. B. No. 186—Mr. Tyler—For the relief of W. J. Jacobs and sureties of Pleasant township, Brown county, Ohio.

S. B. No. 94—Mr. Carlisle—For the better organization and management of the Imbecile Asylum.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 533—Mr. Hayman—To provide for the control and maintenance of libraries in certain cities which, at the last federal census had, and which at any subsequent federal census may have, a population of ten thousand, five hundred and ninety-two.

H. B. No. 511—Mr. Poe—To authorize the council of the village of West Cleveland to issue bonds and levy a tax for water works purposes.

H. B. No. 554—Mr. Bohl—To provide for the payment of certain expenses incurred by investigating committees of the House and Senate.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to—

H. B. No. 157—Mr. Foster—To prevent and punish fraud as to making and sale of butter and cheese.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has refused to concur in the passage of the following bill:

S. B. No. 23—Mr. Lord—Further to amend an act entitled "An act for the creation and regulation of incorporated companies in the state of Ohio," passed May 1, 1852, (v. 50, Stat. 274).

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following joint resolution:

H. J. R. No. 44—Mr. Achauer—To prevent the removal of insane persons from one district asylum to another.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said joint resolution.

Mr. Forrest submitted the following report:

The standing committee on Judiciary, to whom was referred S. B. No. 192—To amend section 24 of an act to amend an act entitled "An act for the relief of the poor, and to repeal certain acts therein named," (v. 73, Laws 1873, 233)—

Having had the same under consideration, report it back and recommend its passage.

W. T. FORREST, G. M. SALTZGABER,
J. R. JOHNSTON, D. WAGENER,
W. P. HOWLAND.

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 26, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Johnston, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Steedman, Stokes, Tyler, Wagener, and Wilson—26.

So the bill was passed. The title was agreed to.

Mr. Owens offered the following joint resolution:

S. J. R. No. 59—WHEREAS: It appears that in enrolling H. B. No. 41—now known as "An act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title 12, part 1, of the act to revise and consolidate the statutes of Ohio," the Clerk has omitted the enacting clause therefrom, therefore—

Be it resolved by the General Assembly of the State of Ohio, That the Secretary of State, with whom said act was on yesterday deposited, be and he is hereby requested and authorized to return said act to this General Assembly for the purpose of having the same correctly enrolled by inserting said enacting clause so omitted therefrom.

The question being on the adoption of the joint resolution, the yeas and nays were taken, and resulted—yeas 27, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Jackson of Clinton, Johnston, Joy, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—27.

So the joint resolution was adopted.

Mr. Armstrong submitted the following report:

The standing committee on Printing, to whom was referred H. J. R. No. 50—In reference to the printing in the German language two thousand copies of the report of the bureau of labor statistics for the year

1877, for the use of the General Assembly as they may be desired, and to be equally distributed to such members—

Having had the same under consideration, report it back, and recommend its passage.

J. C. FISHER, J. M. ARMSTRONG,
JOHN H. BENSON, LINDSEY KELLEY,
D. D. BEEBE, C. F. KRIMMEL.

The question being on the adoption of the joint resolution, the yeas and nays were taken, and resulted—yeas 16, nays 7, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Dungan, Grove, Irvine, Joy, Kelley, Krimmel, Lord, McDonald, Steedman, Tyler, Wagener and Williams—16.

Those who voted in the negative were—

Messrs. Carson, Johnston, Parker, Sabine, Seitz, Sherrick and Wilson—7.

So the joint resolution was disagreed to.

Mr. Fisher submitted the following report:

The standing committee on Public Printing, to whom was referred H. J. R. No. 51—Providing for the distribution of the debates of the constitutional convention—

Having had the same under consideration, report it back, with following amendments, and recommend its passage when so amended:

In line 5, strike out the word "eight" and insert instead thereof the word "three."

In line 6, strike out the word "four" and insert instead thereof the word "three."

In line 8, strike out the word "two" and insert the word "three" instead thereof.

J. C. FISHER, LINDSEY KELLEY,
J. M. CARSON, D. D. BEEBE.

Said amendments were agreed to.

The question being on the adoption of said joint resolution, the yeas and nays were taken and resulted—yeas 25, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Irvine, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Wagener, Williams and Wilson—25.

So said joint resolution was adopted.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has refused to agree to the report of the committee of Conference on—

S. B. No. 86—Mr. Forrest—To amend section 7 of an act entitled "An act to provide for establishing an insurance department in the State of Ohio," passed March 12, 1872; amended April, 1873, (vol. 69, O. L., p. 34; Sayler's Statutes of Ohio, chapter 2154, p. 2605,) and section 11, chapter 2, of "An act to regulate insurance companies doing an insurance busi-

ness in the State of Ohio," passed April 27, 1872; amended April, 1873, (O. L., v. 69, p. 153; Sayler's Statutes, chapter 2218, p. 2738)—

Attest: L. A. BRUNNER, *Clerk.*

Mr. Johnston moved that the Senate insist on its amendments to said bill, and request the appointment of another committee of Conference.

Which was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to—

Sub. for H. B. No. 365—Mr. Norton—To apportion the state of Ohio into congressional districts, and to repeal an act therein named.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the adoption of the following joint resolution:

S. J. R. No. 57—Mr. Forrest—Relating to an adjournment of the Sixty-third General Assembly.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Steedman offered the following joint resolution:

S. J. R. No. 60—*Be it resolved by the General Assembly of the State of Ohio*, That the Attorney General, Auditor of State, and Secretary of State, are hereby authorized to negotiate and conclude terms of settlement with the lessees of the public works of Ohio, of all claims now held or asserted by the state against the said lessees.

Mr. Dungan moved that said joint resolution be referred to the committee on Public Works and Public Lands.

Which was agreed to.

Mr. Dungan submitted the following report:

The standing committee on Corporations other than Municipal, to whom was referred H. B. No. 498—To provide for the creation and regulation of corporate companies for the purpose of yachting, hunting, fishing, the protection of fish and game, and for lawful sporting purposes—

Having had the same under consideration, report it back, and recommend its passage.

IRVINE DUNGAN, J. SHERRICK,
R. G. RICHARDS, J. M. ARMSTRONG.

Said bill was ordered to be engrossed, and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 23, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Grove, Irvine, Johnston, Joy, Kelley, Lord, Marsh, Owens, Parker, Richards, Steedman, Tyler, Wagener, Williams and Wilson—23.

Mr. Jackson of Clinton voted in the negative—1.

So the bill was passed. The title was agreed to.

Mr. Carlisle submitted the following report:

The standing committee on Benevolent Institutions, to whom was referred the nominations, by the Governor, of John A. Shank of Hamilton county, J. K. Rukenbrod of Columbiana county, and J. Miles Montgomery of Franklin county, to be trustees of the institution for the education of idiotic and imbecile youth, for the terms respectively of one, two and three years—

Having had the same under consideration, report it back, and recommend their confirmation.

B. W. Carlisle, C. F. Krimmel,
Theo. Marsh, H. W. Curtiss,
D. D. Beebe, Geo. P. Tyler,
G. A. Grove.

The Senate proceeded to advise and consent to the appointment of John A. Shank.

On which the yeas and nays were taken and resulted—yeas 27, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Grove, Irvine, Jackson of Clinton, Johnston, Kelley, Lord, Marsh, McDonald, Owens, Parker, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener, Williams and Wilson—27.

So the Senate advised and consented to said appointment.

The Senate proceeded to advise and consent to the appointment of J. K. Rukenbrod.

On which, the yeas and nays were taken and resulted—yeas 25, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Curtiss, Fisher, Grove, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Stokes, Tyler, Williams and Wilson—25.

So the Senate advised and consented to said appointment.

The Senate proceeded to advise and consent to the appointment of J. Miles Montgomery.

On which the yeas and nays were taken and resulted—yeas 25, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Carlisle, Curtiss, Dungan, Fisher, Grove, Irvine, Jackson of Clinton, Johnston, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Steedman, Stokes, Tyler, Williams and Wilson—25.

So the Senate advised and consented to said appointment.

The following communications were received from the Secretary of State, in regard to H. B. No. 41:

STATE OF OHIO, DEPARTMENT OF STATE,

Columbus, May 14, 1878.

Allen O. Myers, Clerk of the Senate:

My Dear Sir—Having submitted your communication, in reference

to the request of the Senate to return H. B. No. 41, (municipal code), for the purpose of correcting an error in its enrollment, to the Attorney General, I have the honor herewith to inclose a copy of his opinion.

Very respectfully, your obedient servant,

MILTON BARNES, *Secretary of State.*

STATE OF OHIO, ATTORNEY GENERAL'S OFFICE,

COLUMBUS, MAY 14, 1878.

HON. MILTON BARNES, Secretary of State:

DEAR SIR—In answer to yours of to-day, just handed me, I have to say, that should both Houses by joint resolution, request of you the return of H. B. No. 41, (municipal code) for the purpose of adding thereto the enacting clause which was omitted in the enrollment through clerical error, you have the undoubted legal right so to return said bill.

Respectfully yours,

(Signed) ISAIAH PILLARS, *Attorney General.*

A true copy.

MILTON BARNES, *Sec'y of State.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the adoption of the following joint resolution:

S. J. R. No. 59—Mr. Owens—Requesting the Secretary of State to return H. B. No. 41.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 189—Mr. Richards—To amend section 154, chapter 5, division 5, of an act to amend, revise and consolidate the statutes relating to municipal corporations, passed May 9, 1878.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Marsh submitted the following report:

The standing committee on Salaries and Fees of Public Officers, to whom was referred H. B. No. 270—To authorize compensation to be paid members of boards of equalization and their assistants, in certain cases—

Having had the same under consideration, report it back, and recommend its passage.

G. M. SALTZGABER, G. W. WILSON,
JAMES B. STEEDMAN, THEO. MARSH,
JOHN H. BENSON.

Said bill was ordered to be engrossed, and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 19, nays 3, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Fisher, Grove, Irvine, Johnston, Joy, Krimmel, Lord, Marsh, Parker, Steedman, Tyler and Williams—19.

Those who voted in the negative were—

Messrs. Kelley, McDonald and Seitz—3.

So the bill was passed. The title was agreed to.

Mr. Johnston submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled the following bills:

S. B. No. 179—For the relief of Davis Johnson.

S. B. No. 190—Supplementary to an act to amend, revise and consolidate the statutes relating to municipal corporations, passed May 9, 1878.

H. B. No. 538—In relation to the names of insurance companies.

H. B. No. 557—To provide for the disbursement of the school fund in the city of Mansfield.

J. W. Washburn, Duncan Dow,
C. R. Harmon, J. R. Johnston,
F. M. Carter, E. S. Perkins,
Wm. Jessup, C. F. Krimmel.

Mr. Kelley submitted the following report.

The standing committee on Public Printing, to whom was referred H. B. No. 555—To provide for the prompt printing and distribution of the municipal code, and making additional appropriation for the printing and distribution of the same—

Having had the same under consideration, report it back, and recommend its passage.

J. C. Fisher, Lindsey Kelley,
J. M. Armstrong, D. D. Beebe,
John H. Benson.

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 26, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carson, Curtiss, Fisher, Forrest, Grove, Howland, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sabine, Sherrick, Steedman, Stokes, Tyler and Wilson—26.

So the bill was passed. The title was agreed to.

Mr. Steedman submitted the following report:

The committee heretofore appointed under S. R. No. 54, respectfully submit that we have taken testimony upon the matters of investigation provided for in said resolution, but have not concluded the same, and they are not prepared to make a final report at this time; but deeming it just and proper to the members of the 62d General Assembly, we take pleasure in reporting that no evidence has been found or taken, which establishes or tends to establish, that any member or members of the 62d General Assembly was guilty of receiving any money or other thing of value, to affect or influence his vote upon the passage of any bill relating to the Cincinnati Southern Railway.

We further report that so far as the investigation has proceeded, we have not taken any testimony sustaining the charges made by Mr. Wright, on the 25th day of April, 1878, on the floor of the House of Representatives.

JAMES B. STEEDMAN,
GEO. W. WILSON.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following joint resolution.

S. J. R. No. 59—Mr. Owens—Requesting the Secretary of State to return H. B. No. 41.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said joint resolution.

Mr. Carson offered the following resolution:

S. R. No. 60—*Resolved*, That the First and Second Assistant Sergeant-at-Arms of the Senate be allowed ten days' per diem each, for assisting in putting the Senate Chamber in order, and forwarding mail to members, etc., after adjournment.

Mr. Seitz gave notice of his intention to discuss said resolution, so it went over, under the rule.

Mr. Richards submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled the following bill:

H. B. No. 516—To amend section 3 of the act of April 6, 1870, entitled "An act limiting the compensation of certain officers therein named, (v. 67, p. 36), as amended March 14, 1878, (v. 75, p. 45).

R. G. RICHARDS, WM. JESSUP,
J. R. JOHNSTON, J. W. WASHBURN,
E. S. PERKINS, DUNCAN DOW,
C. R. HARMON.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

S. B. No. 190—Mr. Johnston—Supplementary to an act to amend, revise and consolidate the statutes relating to municipal corporations, passed May 9, 1878.

S. B. No. 179—Mr. Saltzgaber—For the relief of Davis Johnson.

H. B. No. 516—Mr. Klimper—To amend section 3 of the act of April 6, 1870, entitled "An act limiting the compensation of certain officers therein named, (vol. 67, p. 36) as amended March 14, 1878, (vol. 75, p. 45).

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

Mr. Richards submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled the following bills and joint resolution:

H. B. No. 544—To provide for the payment of certain expenses incurred by investigating committees of the House and Senate.

Sub. for H. B. No. 511—To authorize the council of the village of West Cleveland to issue bonds and levy a tax for water works purposes.

H. J. R. No. 44—To prevent the removal of insane persons from one district asylum to another.

WM. JESSUP, J. R. JOHNSTON,
A. D. MARSH, R. G. RICHARDS,
F. M. CARTER, J. W. WASHBURN.

Mr. Tyler offered the following resolution:

S. R. No. 61—

Resolved, That Richard Bonon and W. H. Yoder be allowed five days' per diem each, at the rate of five dollars per day, for taking care of the furniture in the Senate Chamber, under the direction of the Sergeant-at-Arms.

Mr. Seitz gave notice of his intention to discuss said resolution, so it went over, under the rule.

Mr. Carlisle submitted the following report:

The standing committee on Roads and Highways, to whom was referred H. B. No. 556—To authorize the commissioners of Tuscarawas county to build one or more bridges within the corporate limits of the village of Port Washington in said county—

Having had the same under consideration, report it back and recommend its passage.

J. H. BENSON, J. C. MCDONALD,
B. W. CARLISLE, J. B. WILLIAMS.

Said bill was ordered to be engrossed, and read the third time now, and was then read.

The question being, "Shall the bill pass?" the yeas and nays were taken and resulted—yeas 24, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Fisher, Grove, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Marsh, McDonald, Owens, Parker, Richards, Seitz, Steedman, Stokes, Wagener, Williams and Wilson—24.

So the bill was passed. The title was agreed to.

Mr. Steedman submitted the following report:

The standing committee on Public Works and Public Lands, to whom was referred S. J. R. No. 58—

Having had the same under consideration, report it back, and recommend the adoption of the following substitute:

Be it resolved by the General Assembly of the State of Ohio, That the board of public works are authorized to permit any person or persons, or corporation, their heirs or assigns, to use and occupy the berme bank of the Hocking Valley canal, from Carroll, in Fairfield county, to Athens, in Athens county, for the purpose of constructing and operating a standard or narrow gauge railroad thereon; such person, persons or corporation, before taking possession of said berme bank, shall contract with the state to give a penal bond, with two or more sureties, in the penal sum of ten thousand dollars, every ten years, (renewable), acceptable to the board of public works, conditioned for the faithful carrying out of the following provisions:

1. A contract shall be prepared by the Attorney General, binding

such person, persons or corporation, their heirs and assigns, occupying said berme bank, to forever keep the same in good repair for canal purposes, which repairs shall be made under the direction of the board of public works; in case such person, persons or corporation their heirs or assigns, shall refuse or fail to put and keep said bank in good repair for canal purposes, the right to use and occupy the same shall cease, and the state shall be entitled to the immediate possession of the same.

2. The said board of public works shall give notice in some newspaper, published in Franklin county, for a period of thirty days, of the time and place of letting such contract, and the person or persons, or corporation, agreeing to pay the greatest annual rental value for the same, and who shall comply with the provisions of this resolution, shall be entitled to have the contract, but the rental value shall not be less than five hundred dollars per annum payable in advance; and, provided, that such person, persons or corporation, shall within three months after the letting of the contract, enter upon the construction of such railway, and prosecute the work to completion within one year thereafter.

3. The said person, persons or corporation, their heirs or assigns, are hereby and forever prohibited from making any combination with the Columbus & Hocking Valley Railroad Company, in regard to freight and passenger rates, and if any such combination is made the state shall be entitled to take immediate possession of said berme bank.

4. It shall be the duty of the Attorney General, and he is hereby instructed to prepare the necessary papers for the purpose of carrying the foregoing provisions into effect, when they shall be signed by the board of public works, and the seal of said board attached thereto, and one copy of the same shall be given to the person, persons or corporation, contracting under the provisions of this resolution, and another shall be duly recorded in the office of the board of public works as a matter of record.

JAMES B. STEEDMAN, G. W. WILSON,
G. A. GROVE, H. C. LORD.

Pending which, in compliance with the provisions of S. J. R. No. 59, the Secretary of State sent to the Senate the act known as—

H. B. No. 41—Entitled "An act to amend, revise and consolidate the statutes relating to municipal corporations, to be known as title 12, part 1, of the act to revise and consolidate the general statutes of Ohio."

On motion of Mr. Dungan said act was referred to the joint committee on Enrollment.

Mr. Carlisle moved that said report on S. J. R. No. 58 and substitute be laid on the table.

Which was agreed to.

Mr. Curtiss offered the following resolution, which was unanimously adopted:

S. R. No. 62—*Resolved*, That we hereby tender our thanks to Lieutenant Governor Fitch, for the able and impartial manner in which he has presided over the deliberations of the Senate during the present session.

Mr. Richards offered the following resolution, which was unanimously adopted:

S. R. No. 63—*Resolved*, That the thanks of this Senate are hereby tendered Hon. James W. Owens for the courteous, able, prompt and impartial manner in which he has presided over this body.

Mr. Johnston moved that S. B. No. 15 be taken from the table.

Which was agreed to.

Mr. Johnston moved that S. B. No. 15 be laid on the table.

Which was agreed to.

Mr. Irvine submitted the following report:

The standing committee on Insurance, to whom was referred H. B. No. 489—To amend an act entitled "An act to regulate companies doing an insurance business in the state of Ohio," passed April 27, 1872; as amended April 24, 1873—

Having had the same under consideration, report it back, and recommend its passage.

JOHN IRVINE, C. S. PARKER,
THEO. MARSH, G. W. WILSON,
H. SABINE.

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 18, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Fisher, Irvine, Johnston, Joy, Lord, McDonald, Owens, Sabine, Seitz, Sherrick, Steedman, Tyler, Wagener and Williams—18.

Mr. Carson voted in the negative—1.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 557—Mr. Bloom—To provide for the disbursement of the school fund in the city of Mansfield.

H. B. No. 538—Mr. Bohl—In relation to the names of insurance companies.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

Mr. Williams submitted the following report:

The standing committee on Sanitary Laws and Regulations, to whom was referred H. B. No. 84—For the protection of certain burial grounds, and to amend an act passed April 18, 1874, (O. L., v. 71, p. 109)—

Having had the same under consideration, report it back, and recommend its passage.

J. B. WILLIAMS, J. M. ARMSTRONG,
G. W. WILSON, W. H. STOKES.

Said bill was ordered to be engrossed and read the third time now, and was then read.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 22, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Benson, Curtiss, Fisher, Grove, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sabine, Seitz, Steedman and Williams—22.

So the bill was passed. The title was agreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

H. B. No. 407—Mr. Clough—Defining the powers and prescribing the duties of the board of Public works.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bill.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has appointed Messrs. Parker, Wright and Herrick as a committee of Conference to consider the differences between the two Houses on S. B. No. 86.

Attest: L. A. BRUNNER, *Clerk.*

The President appointed Messrs. Johnston, Owens and Seitz as such Conference committee on part of the Senate.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution in which the concurrence of the Senate is requested:

H. J. R. No. 48—Mr. Stubbs—Providing for printing reports of commissioners on hog cholera.

Attest: L. A. BRUNNER, *Clerk.*

The question being on the adoption of said resolution the yeas and nays were taken, and resulted—yeas 14, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Benson, Curtiss, Fisher, Howland, Jackson of Clinton, Johnston, Joy, Krimmel, Lord, Marsh, Richards, Sabine and Tyler—14.

Mr. Seitz voted in the negative—1.

So said joint resolution was disagreed to.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

Sub. for S. B. No. 40—Mr. Johnston—To amend section 7 of chapter 2, title 2, code of criminal procedure, (O. L., v. 74, p. 289).

Attest: L. A. BRUNNER, *Clerk.*

Mr. Krimmel submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following joint resolution:

S. J. R. No. 59—Requesting the Secretary of State to return H. B. No. 41. (Municipal Code.)

IRVINE DUNGAN, WM. JESSUP,
J. W. WASHBURN, C. F. KRIMMEL,
F. M. CARTER, A. D. MARSH.

Mr. Owens offered the following resolution:

S. R. No. 64—*Resolved*, That Sebastian Gramlich be allowed a compensation of three dollars per day for his four days' services rendered as a porter of the Senate, at the beginning of this session, and the President of the Senate is hereby authorized to draw his warrant therefor.

The question being on the adoption of said resolution, the yeas and nays were taken and resulted—yeas 24, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Fisher, Grove, Irvine, Jackson of Clinton, Johnston, Joy, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Seitz, Sherrick, Steedman, Wagener, Williams and Wilson—24.

So the resolution was adopted.

Mr. Johnston moved to take from the table S. B. No. 15.

Which was agreed to.

Said bill was read the third time.

The question being "Shall the bill pass?" the yeas and nays were taken, and resulted—yeas 23, nays 6, as follows:

Those who voted in the affirmative were—

Messrs. Benson, Carlisle, Curtiss, Fisher, Howland, Irvine, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Sherrick, Steedman, Tyler, Wagener and Williams—23.

Those who voted in the negative were—

Messrs. Armstrong, Carson, Dungan, Forrest, Seitz and Stokes—6.

So the bill was passed. The title was agreed to.

Mr. Johnston submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled, the following joint resolution:

S. J. R. No. 57—Relative to the adjournment of the regular session of the 63d General Assembly.

J. W. Washburn, F. M. Carter,
Wm. Jessup, Duncan Dow,
J. R. Johnston, C. R. Harmon.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following joint resolution:

S. J. R. No. 57—Relating to an adjournment of the 63d General Assembly.

Attest: L. A. Brunner, *Clerk.*

The President, in presence of the Senate, signed said joint resolution.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

S. B. No. 115—Mr. Forrest—To revise and consolidate the laws relating to civil procedure in courts of common pleas, superior courts

and district courts on appeal, and also the laws relating to procedure in error, mandamus and quo warranto.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bill.

Mr. Fisher submitted the following report:

The committee on Revision has examined, and found correctly engrossed H. J. R. No. 51, as amended by the Senate.

J. C. FISHER,
J. M. CARSON.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The following bill has been introduced in the House of Representatives, and read the first time:

H. B. No. 561—Mr. Brown of Putnam—Relating to ditches, and to repeal certain acts therein named.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Krimmel submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled the following bills:

H. B. No. 41—To amend, revise and consolidate the statutes relating to municipal corporations, to be known as title 12, part 1, of the act to revise and consolidate the general statutes of Ohio.

H. B. No. 407—Defining the powers and prescribing the duties of the Board of Public Works.

F. M. CARTER,
IRVINE DUNGAN,
DUNCAN DOW,
E. S. PERKINS,
C. R. HARMON,
J. W. WASHBURN,
R. G. RICHARDS,
J. R. JOHNSTON.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the passage of the following bill:

S. B. No. 92—Mr. Saltzgaber—To amend sections 9, 10 and 11 of an act entitled "An act defining the duties of sheriffs and coroners in certain cases," passed February 25, 1824, (S. & C., p. 1397)—

With the following amendments in which the concurrence of the Senate is requested:

Strike out from line 5 section 1 after the word "the" down to and including "law" in line 32, and insert "body of any person, whose death is supposed to have been caused by violence, has been found within his county, he shall appear forthwith at the place where such body shall be, shall issue subpœnas for such witnesses as he deems necessary, and administer to them the usual oath or affirmation, and proceed to inquire how the deceased came to his death; if by violence from any other person or persons, by whom, whether as principal or accessories before or after the fact, together with all circumstances relating thereto. The testimony of the witnesses shall be reduced to writing, by them respective-

ly subscribed and with the finding and recognizances hereinafter mentioned, if any shall be by the coronor returned to the clerk of the court of common pleas of the proper county, and he shall, if he deem it necessary, cause the witnesses attending as aforesaid, to enter into recognizance, in such sum as may be proper, for their appearance at the succeeding term of the court of common pleas for said county, to give testimony concerning the matter aforesaid, and he may require any or all of said witnessess to give security for their attendance; and if they or any of them neglect to comply with the requirements made, he shall commit the person so neglecting to the prison of the county to remain until discharged by due course of law."

Attest: L. A. BRUNNER, *Clerk.*

The question being on concurring in said House amendment, the yeas and nays were taken and resulted—yeas 23, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beer, Benson, Carlisle, Curtiss, Dungan, Fisher, Forrest, Grove, Irvine, Johnston, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sherrick, Steedman, Tyler and Wagener—23.

So the Senate concurred in said amendments.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled the following bill:

S. B. No. 115—An act to revise and consolidate the laws relating to civil procedure in courts of common pleas and superior courts, in district courts on appeal, and also the laws relating to proceedings in eror, quo warranto and mandamus.

J. W. WASHBURN, R. G. RICHARDS,
F. M. CARTER, J. R. JOHNSTON,
WM. JESSUP, C. F. KRIMMEL,
IRVINE DUNGAN.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

H. B. No. 41—Mr. Booth—To amend, revise and consolidate the statutes relating to municipal corporations to be known as title 12, part 1 of the act to revise and consolidate the general statutes of Ohio.

Attest: L. A. BRUNNER, *Clerk.*

The President *pro tem.*, in presence of the Senate, signed said bill.

On motion of Mr. Sherrick, the Senate adjourned until to-morrow morning at 7 o'clock.

Attest: ALLEN O. MYERS, *Clerk.*

WEDNESDAY, MAY 15, 1878—7 O'CLOCK A. M.

The Senate met pursuant to adjournment.

The Journal was read and approved.

Mr. Carson moved to take from the table S. R. No. 60.

Which was agreed to.

The question being on the adoption of said resolution, the yeas and nays were taken and resulted—yeas 27, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Forrest, Grove, Howland, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sabine, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—27.

Mr. Seitz voted in the negative—1.

So the resolution was adopted.

Mr. Johnston submitted the following report:

The committee of Conference, to whom was referred the difference between the two Houses on S. B. No. 86—

Having had the same underconsideration, recommend that the Senate concur in the amendments proposed by the House.

J. R. JOHNSTON,
JAMES W. OWENS,
Senate Committee.
E. B. PARKER,
I. B. WRIGHT,
House Committee.

The question being on agreeing to said report, the yeas and nays were taken and resulted—yeas 25, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Curtiss, Forrest, Howland, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—25.

So the report was agreed to.

Mr. Johnston submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled the following bills:

H. B. No. 556—To authorize the commissioners of Tuscarawas county to build one or more bridges within the corporate limits of the village of Port Washington, in said county.

H. B. No. 498—To provide for the creation and regulation of corporate companies for the purpose of yachting, hunting, fishing, the protection of fish and game, and for lawful sporting purposes.

J. W. WASHBURN, R. G. RICHARDS,
F. M. CARTER, WM. JESSUP,
D. DOW, J. R. JOHNSTON.

Mr. Johnston submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled the following bill:

H. B. No. 555—Providing for the prompt printing and distribution of the municipal code, and making additional appropriations for printing and distribution of the laws.

J. W. WASHBURN, WM. JESSUP,
F. M. CARTER, D. DOW,
R. G. RICHARDS, J. R. JOHNSTON.

Mr. Richards submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled the following bill:

Sub. for H. B. No. 365—To apportion the state of Ohio into congressional districts, and to repeal an act therein named.

J. W. Washburn, Wm. Jessup,
A. D. Marsh, C. R. Harmon,
R. G. Richards, Duncan Dow,
J. R. Johnston.

Mr. Parker submitted the following report:

The standing committee on Public Printing, to whom was referred H. J. R. No. 54—To allow the Tyndal association of the city of Columbus, to arrange a time ball on the State House—

Having had the same under consideration, report it back, and recommend its passage.

C. S. Parker, W. H. Stokes,
J. M. Armstrong, John Seitz,
Lindsey Kelley.

The question being on the adoption of the resolution, the yeas and nays were taken and resulted—yeas 24, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Grove, Howland, Jackson of Clinton, Johnston, Kelley, Krimmel, Marsh, McDonald, Owens, Parker, Richards, Sabine, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—24.

So the resolution was adopted.

Mr. Richards submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled the following bills:

H. B. No. 475—To amend the act of April 27, 1872, entitled "An act to regulate insurance companies doing an insurance business in the state of Ohio, (vol. 69, p. 140.)

H. B. No. 270—To authorize compensation to be paid members of boards of equalization and their assistants in certain cities.

H. B. No. 541—To provide for keeping in repair, improved, graveled, macadamized, and free and abandoned turnpike roads in certain counties.

F. M. Carter, J. W. Washburn,
Wm. Jessup, Duncan Dow,
J. R. Johnston, R. G. Richards.

Mr. Washburn submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled the following joint resolution:

H. J. R. No. 51—Providing for distribution of the debates of the constitutional convention.

J. W. Washburn, F. M. Carter,
J. R. Johnston, Duncan Dow,
C. R. Harmon, R. G. Richards,
C. F. Krimmel.

Mr. Johnston offered the following joint resolution:

S. J. R. No. 61—*Be it resolved by the General Assembly of the State Ohio,*

That the volume of the reports of the geological survey, known as the volume on zoology and botany, the publication of which has been provided for by this General Assembly, be distributed as follows:

Two hundred and fifty copies for the geological corps, two hundred and fifty copies for the geological board, five hundred copies for the state library, and the remainder for the present General Assembly, to be divided equally among the members thereof; that there shall be deposited in the township library in each county of the state one copy each of this report by the member representing the same in this General Assembly; that the Secretary of State be and he is hereby directed to have boxed up at the state bindery the number of the above-named volumes, to which such member is entitled, and ship the same to his address; and the Secretary of State is hereby directed to pay the charges for shipping the same out of the amount appropriated for the distribution of the laws, journals and public documents.

The question being on the adoption of said joint resolution, the yeas and nays were taken and resulted—yeas 24, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Carson, Curtiss, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, McDonald, Owens, Parker, Richards, Sabine, Seitz, Steedman, Stokes, Tyler, Wagener and Williams—24.

So the joint resolution was adopted.

Mr. Johnston submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled the following bill:

H. B. No. 547—Supplementary to an act entitled "An act supplementary to the acts passed February 24, 1876, and April 24, 1877, supplementary to the act relating to the cities of the first class having a population exceeding 150,000 inhabitants," passed May 4, 1869, (O. L., v. 66, p. 80), and to repeal section 4 of said act, passed April 18, 1878.

Wm. Jessup,	F. M. Carter,
J. W. Washburn,	Duncan Dow,
C. F. Krimmel,	J. R. Johnston.

Mr. Krimmel submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled the following bills:

H. B. No. 489—To amend an act entitled "An act to regulate companies doing an insurance business in the state of Ohio," passed April 27, 1872, as amended April 24, 1873.

H. B. No. 529—To amend an act entitled "An act to provide for establishing an insurance department in the state of Ohio," passed March 12, 1872, as amended April 26, 1873.

J. W. Washburn,	F. M. Carter,
C. R. Harmon,	Dungan Dow,
J. R. Johnston,	C. F. Krimmel.

Mr. Johnston submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled the following bills:

H. B. No. 84—For the protection of certain burial grounds and to amend an act passed April 18, 1874 (O. L., v. 71, p. 109).

H. B. No. 558—To authorize the council of Medina to build an engine house and town hall.

H. B. No. 187—To prevent and punish fraud as to the making and sale of butter and cheese.

DUNCAN DOW, F. M. CARTER,
J. W. WASHBURN, WM. JESSUP,
J. R. JOHNSTON, R. G. RICHARDS.

Mr. Steedman moved to take from the table S. R. No. 61.

Which was agreed to.

Mr. Seitz moved to strike out the word "five" in said resolution and insert instead thereof the word "three."

On which motion the yeas and nays were demanded, taken, and resulted—yeas 5, nays 21, as follows:

Those who voted in the affirmative were—

Messrs. Benson, Carlisle, Carson, Parker and Seitz—5.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Curtiss, Fisher, Forrest, Howland, Jackson of Clinton, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Richards, Sabine, Sherrick, Steedman, Tyler, Wagener and Williams—21.

The motion was lost.

Mr. Steedman moved to insert the name of Sebastian Gramlich in said resolution.

Which was agreed to.

The question being on the adoption of the resolution, the yeas and nays were taken, and resulted—yeas 20, nays 1, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Benson, Carlisle, Carson, Curtiss, Forrest, Howland, Jackson of Clinton, Johnston, Joy, Kelley, Marsh, McDonald, Richards, Sabine, Steedman, Stokes, Tyler, Wagener and Williams—20.

Mr. Seitz voted in the negative– 1.

So the resolution was adopted.

Mr. Johnston submitted the following report:

The joint committee on Enrollment have examined, and found correctly enrolled the following bills:

H. B. No. 531—To authorize the commissioners of Hancock county to levy an additional tax.

H. B. No. 539—To admit women to the practice of law.

WM. JESSUP, C. R. HARMON,
DUNCAN DOW, F. M. CARTER,
C. F. KRIMMEL, J. R. JOHNSTON,
R. G. RICHARDS.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in Senate amendments to—

H. J. R. No. 51—Mr. Van Cleaf—Providing for the distribution of the debates of the Constitutional Convention.

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has agreed to the report of the committee of Conference on—

S. B. No. 86—Mr. Forrest—To amend section 7 of an act entitled "An act to provide for establishing an insurance department in the state of Ohio," passed March 12, 1872, amended April, 1873 (V. 69, O. L., p. 34; Sayler's Statutes of Ohio, chapter 2,154, p. 2,605), and section 11, chapter 2, of "An act to regulate insurance companies doing an insurance business in the state of Ohio," passed April 27, 1872, amended April, 1873 (V. 69, O. L., p. 153; Sayler's Statutes, chapter 2,218, p. 2,738).

Attest: L. A. BRUNNER, *Clerk.*

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

Sub. for H. B. No. 365—Mr. Norton—To apportion the state of Ohio into Congressional Districts, and to repeal an act therein named.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bill.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 555—Mr. Meuser—Providing for the printing and distribution of the municipal code and making additional appropriations for printing and distributing the laws.

H. B. No. 558—Mr. Perkins—To authorize the council of Medina to build an engine house and town hall.

H. B. No. 531—Mr. Stubbs—To authorize the commissioners of Hancock county to levy an additional tax.

H. B. No. 547—Mr. Sextro—Supplementary to an act entitled "An act supplementary to the acts passed February 24, 1876, and April 24, 1877, supplementary to the act relating to cities of the first-class having a population exceeding 150,000 inhabitants, passed May 4, 1869 (O. L., v. 66, p. 80), and to repeal Sec. 9 and a portion of Sec. 4 of said act," passed April 18, 1878.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 556—Mr. Johnson—To authorize the commissioners of Tuscarawas county to build one or more bridges within the corporate limits of the village of Port Washington in said county.

H. B. No. 541—Mr. Cowgill—To provide for keeping in repair, improved and macadamized and free and abandoned turnpike roads in certain counties.

H. B. No. 498—Mr. Foster—To provide for the creation and regulation of corporations for the purpose of yachting, hunting, fishing and the protection of fish and game, and for lawful sporting purposes.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has concurred in the adoption of the following joint resolution:

S J. R. No. 61—Mr. Johnston—Relative to the distribution of volume 4 (Zoology and Botany) of the Geological survey.

Attest: L. A. BRUNNER, *Clerk.*

Mr. Krimmel submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled the following bill:

Sub. for S. B. No. 137—An act to provide for the appointment of Inspector and deputy Inspectors of mineral oils and other substances, to regulate the sale of the same for illuminating purposes and to repeal certain acts therein named.

C. F. KRIMMEL, R. G. RICHARDS,
J. R. JOHNSTON, DUNCAN DOW,
C. R. HARMON, J. W. WASHBURN.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills and joint resolution:

H. B. No. 84—Mr. Crossley—For the protection of certain burial grounds, and to amend an act passed April 18, 1874, (O. L., v. 71, p. 109).

H. B. No. 489—Mr. Bohl—To amend an act entitled an act to regulate companies doing an insurance business in the state of Ohio, passed April 27, 1872, as amended April 24, 1873.

H. B. No. 475—Mr. Bohl—To amend the act of April 27, 1872, entitled an act to regulate insurance companies doing an insurance business in the state of Ohio, (O. L., v. 69, page 140).

H. J. R. No. 51—Mr. Van Cleaf—Providing for the distribution of the debates of the Constitutional Convention.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bills and joint resolution.

Mr. Dungan moved to reconsider the vote whereby the Conference committee report on S. B. No. 137 was agreed to.

On which motion, the yeas and nays were demanded, taken, and resulted—yeas 6, nays 21, as follows:

Those who voted in the affirmative were—

Messrs. Carson, Dungan, Fisher, Howland, Parker and Seitz—6.

Those who voted in the negative were—

Messrs. Armstrong, Beebe, Beer, Carlisle, Curtiss, Grove, Irvine, Johnston, Joy, Kelley, Krimmel, Lord, Marsh, McDonald, Owens, Richards, Sherrick, Steedman, Stokes, Tyler and Wagener—21.

So the motion was disagreed to.

Mr. Richards submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled the following joint resolution:

H. J. R. No. 54—To permit the Tyndall association to arrange a time ball on the State House.

F. M. Carter, J. W. Washburn,
Duncan Dow, E. S. Perkins,
C. R. Harmon, R. G. Richards.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

Sub. for S. B. No. 137—Mr. Lord—To provide for the appointment of inspector and deputy inspectors of mineral oils and other substances, to regulate the sale of the same for illuminating purposes, and to repeal certain acts therein named.

Attest: L. A. Brunner, *Clerk.*

The President, in presence of the Senate, signed said bill.

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

Columbus, 15th day of May, 1878.

To the Senate:

I have the honor to nominate, and by and with the advice and consent of the Senate appoint,—

Frederick W. Green, of Cuyahoga county, to be "State Inspector of Oils," for the term of two years.

Very respectfully,

Richard M. Bishop, *Governor.*

Mr. Benson moved that the Senate advise and consent to said appointment.

Mr. Forrest raised the point of order that the bill authorizing the appointment was not a law, as the President had not yet signed the same.

The President announced that the bill was on his desk, and that he had signed it.

The question recurred on the confirmation:

The yeas and nays were taken, and resulted—yeas 24, nays 2, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carlisle, Curtiss, Fisher, Grove, Howland, Jackson of Clinton, Joy, Kelley, Krimmel, Lord, Marsh, Owens, Parker, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler and Wagener—24.

Those who voted in the negative were—

Messrs. Dungan and McDonald—2.

So the Senate advised and consented to said appointment.

Mr. Krimmel submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled the following bill:

S. B. No. 86—An act to amend section 7 of an act entitled an act to provide for establishing an insurance department in the state of Ohio, passed March 12, 1872, amended April, 1873, (O. L., v. 69, page 34; Sayler's Statutes of Ohio, chap. 2,154, page 2,605,) and section 11, chapter 2, of an act to regulate insurance companies doing an insurance business in the state of Ohio, passed April 27, 1872, amended April 1873, (O. L., v. 69, p. 153, Sayler's Statutes, chap. 2,218, page 2,738).

C. F. KRIMMEL, J. R. JOHNSTON,
R. G. RICHARDS, IRVINE DUNGAN,
F. M. CARTER, J. W. WHSHBURN.

Mr. Carson offered the following resolution:

S. R. No. 65—*Resolved*, That a message be sent to the House of Representatives informing that body that the Senate has completed its business, and is now ready to adjourn.

The question being on the adoption of the resolution, the yeas and nays were taken, and resulted—yeas 21, nays 3, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Grove, Howland, Jackson of Clinton, Joy, Kelley, Lord, Marsh, Owens, Parker, Sabine, Seitz, Sherrick, Steedman, Stokes, Tyler and Wagener—21.

Those who voted in the negative were—

Messrs. Beer, Johnston and Krimmel—3.

So the resolution was adopted.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following joint resolution:

H. J. R. No. 54—Mr. White—To permit the Tyndall association to arrange a time ball on State House.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said resolution.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bills:

H. B. No. 539—Mr. Palmer—To admit women to the practice of law.

H. B. No. 157—Mr. Foster—To prevent and punish fraud in the making and sale of butter and cheese.

H. B. No. 270—Mr. Hendrick—To authorize compensation to be paid members of boards of equalization and their assistants, in certain cities.

H. B. No. 529—Mr. Bohl—To amend an act entitled "an act to provide for establishing an insurance department in the state of Ohio," passed March 12, 1872, as amended April 26, 1873.

Attest: L. A. BRUNNER, *Clerk.*

The President in presence of the Senate, signed said bills.

Mr. Dungan submitted the following report:

The joint committee on Enrollment has examined, and found correctly enrolled, the following joint resolution:

S. J. R. No. 61—Relating to the distribution of volume 4 (zoology and botany), of Geological Survey.

IRVINE DUNGAN, J. R. JOHNSTON,
R. G. RICHARDS, J. W. WASHBURN,
WM. JESSUP, F. M. CARTER.

Mr. Johnston submitted the following report:

The joint committee on Enrollment has examined and found correctly enrolled the following bills:

S. B. No. 92—An act to amend section 9 of an act entitled "An act defining duties of sheriffs and coroners in certain cases," passed February 25, 1824, (S. & C., p. 1397).

Sub. for S. B. No. 40—An act to amend section 7, chapter 2, title 2, of criminal procedure, (O. L., v. 74, p. 289).

S. B. No. 189—An act to amend section 154, chapter 5, division 5, of an act to amend and consolidate the statutes relating to municipal corporations, passed May 9, 1878.

J. R. JOHNSTON, R. G. RICHARDS,
IRVINE DUNGAN, WM. JESSUP,
J. M. CARSON.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

S. B. No. 86—Mr. Forrest—To amend section 7 of an act entitled "An act to provide for establishing an insurance department in the State of Ohio," passed March 12, 1872; amended April, 1873, (vol. 69, O. L., p. 34; Sayler's Statutes of Ohio, chapter 2154, p. 2605,) and section 11, chapter 2, of "An act to regulate insurance companies doing an insurance busi-

ness in the state of Ohio," passed April 27, 1872, amended April, 1873, (v. 69, O. L., p. 153; Saylers' Statutes, chapter 2218, p. 2738).

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bill.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

S. B. No. 92—Mr. Saltzgaber—To amend sections 9, 10 and 11 of an act entitled "An act defining the duties of sheriffs and coroners in certain cases," passed February 24, 1824.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bill.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

Sub. for S. B. No. 40—Mr. Johnston—To amend section 7 of chapter 2, title 2, code of criminal procedure, (O. L., v. 74, p. 289).

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bill.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following joint resolution:

S. J. R. No. 61—Mr. Johnston—Relative to the distribution of volume 4, (zoology and botany) of Geological Survey.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said resolution.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The Speaker of the House of Representatives has, in the presence of the House, signed the following bill:

S. B. No. 189—Mr. Richards—To amend section 154, chapter 5, division 5, of an act to amend, revise and consolidate the statutes relating to municipal corporations, passed May 9, 1878.

Attest: L. A. BRUNNER, *Clerk.*

The President, in presence of the Senate, signed said bill.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has completed its business, and in accordance with S. J. R. No. 57, is now ready to adjourn.

Attest: L. A. BRUNNER, *Clerk.*

The Journal was read and approved.

The hour having arrived for the General Assembly to adjourn, in pursuance of S. J. R. No. 57, to convene again Tuesday, January 7, 1879, at 3 o'clock p. m., the gavel fell and the President declared the Senate adjourned in accordance with the provisions of said resolution, and until the time named therein.

Attest: ALLEN O. MYERS, *Clerk.*

APPENDIX

TO

SENATE JOURNAL.

RULES OF THE SENATE.

THE RIGHTS AND DUTIES OF THE PRESIDENT.

1. The President shall take the Chair precisely at the hour to which the Senate shall have adjourned on the preceding day, and shall immediately call the Senate to order.

2. The President shall have the general direction of the Senate Chamber; he shall have the right to name any Senator to perform the duties of the Chair, but such substitution shall not extend beyond an adjournment.

3. He shall preserve order and decorum in the proceedings of the Senate; and in case of any disturbance or disorderly conduct in the lobby, the President, or Chair of the committee of the whole Senate, shall have the power to order the same to be cleared.

4. The President shall appoint, at the commencement of the session, the following standing committees, each to consist of not less than three nor more than seven Senators:

1. Judiciary.
2. Finance.
3. Claims.
4. Public Works and Public Lands.
5. Municipal Corporations.
6. Roads and Highways.
7. Railroads, Telegraphs and Turnpikes.
8. Common Schools and School Lands
9. Universities, Colleges and Academies.
10. Medical Societies and Colleges.
11. Military Affairs.
12. Agriculture.
13. Manufactures and Commerce.
14. Corporations other than Municipal.
15. Geological Survey.
16. Mines and Mining.
17. Soldiers' and Sailors' Orphans' Home, and School for Imbecile Youth.
18. Currency.
19. Insurance.
20. Benevolent Institutions.
21. Reform School, and Industrial School for Girls.
22. Penitentiary.
23. Library.
24. State Buildings.
25. Salaries and Fees of Public Officers.
26. Public Printing.
27. Federal Relations.
28. Unfinished Business.
29. Privileges and Elections.
30. Public Expenditures.
31. Sanitary Laws and Regulations.
32. Revision.
33. Enrollment.

All other committees shall be appointed by the President, unless it shall be otherwise directed by the Senate, in which case they shall be appointed by a vote of the Senate.

5. The President shall sign all acts, addresses and joint resolutions, *when passed by both Houses;* and all writs, warrants and subpœnas issued by order of the Sénate shall be under his hand, attested by the Clerk.

OF THE RIGHTS AND DUTIES OF SENATORS.

6. When a Senator is about to speak, he shall rise from his seat and respectfully address himself to "Mr. President;" and the President shall announce him as "The Senator from ———" [naming his county.] The Senator may then speak, either from his seat or from the seat of any other Senator tendered him for the purpose, or from the stand.

7. In all cases the Senator who shall first rise and address the President shall speak first; but when two or more Senators shall rise at once, the President shall announce the Senator who is first to speak.

8. No Senator shall speak more than twice to the same question, except in committee of the whole Senate, or by leave of the Senate; and he shall confine himself to the question under debate, and avoid personality.

9. Any Senator, while discussing a question, may read, or cause to be read, from books, papers or documents, any matter pertinent to the subject under consideration, without asking leave.

10. Any Senator may call for a statement of the question, which the President may give sitting.

11. Any Senator may call for a division of the question, and the decision of the President as to its divisibility shall be subject to appeal, as in questions of order.

12. Every Senator present when the question is put shall vote, unless the Senate, for special reasons, excuse him. A request to be excused from voting shall not be in order unless made before the Senate divides, or before the call of the yeas and nays is commenced; and any Senator requesting to be excused from voting may make a brief statement of the reasons for making such request, and the question shall then be taken without further debate.

13. While the President or Chairman is putting any question, or addressing the Senate, no one shall walk across the Chamber; and while a Senator is speaking, no one shall pass between him and the Chair. No person other than the Clerk shall remain at the Clerk's table while the yeas and nays are being called, or ballots being counted.

14. Any Senator has the right to demand the yeas and nays upon any question before it is put; and upon such demand the Clerk shall call the names of Senators in their alphabetical order, and before the result is declared shall read over the names of those voting in the affirmative and those voting in the negative; and after the call of the yeas and has been commenced, no Senator shall be permitted to explain his vote.

15. Any Senator shall have the right to demand a call of the Senate, and upon such call the names of Senators shall be called by the Clerk alphabetically, and the absentees noted.

16. Any three Senators have a right to demand the previous question.

17. No Senator shall vote on any question in the event of which he is individually interested.

ORDER OF BUSINESS OF THE DAY.

18. As soon as the Senate is called to order, a quorum being present, the Journal of the preceding day shall be read by the Clerk, and, if necessary, corrected by the Senate.

19. As soon as the Journal is read and corrected as aforesaid, the President shall call for the presentation of petitions and memorials, bills for second reading, bills for third reading, notices of intention to introduce bills, the introduction of bills on notice and on leave, the reports of standing committees, in the following order:

1. Judiciary.
2. Finance.
3. Claims.
4. Public Works and Public Lands.
5. Municipal Corporations.
6. Roads and Highways.
7. Railroads, Turnpikes and Telegraphs.
8. Common Schools and School Lands.
9. Universities, Colleges and Academies.
10. Medical Societies and Colleges.
11. Military Affairs.
12. Agriculture.
13. Manufactures and Commerce.
14. Corporations other than Municipal.
15. Geological Survey.
16. Mines and Mining.
17. Soldiers' and Sailors' Orphans' Home, and School for Imbecile Youth.
18. Currency.
19. Insurance.
20. Benevolent Institutions.
21. Reform School, and Industrial School for Girls.
22. Penitentiary.
23. Library.
24. State Buildings.
25. Fees and Salaries.
26 Public Printing.
27. Federal Relations.
28. Unfinished Business.
29. Privileges and Elections.
30. Public Expenditures.
31. Sanitary Laws and Regulations.
32. Revision.
33. Enrollment.
34. Reports of Select Committees.

The above business shall be disposed of in the order in which it is arranged, and shall not be in order at any other time, unless by leave of two-thirds of the Senators present.

If the calling of the committees is not completed on any given day, the President shall, on the subsequent day, on reaching "Reports of Standing Committees," commence with the committee next in order after that last called on the previous day.

20. Every petition and memorial shall be referred, on motion, without putting the question for that purpose, unless the reference is objected to at the time of its presentation; and no petition or memorial shall be printed unless by special order of the Senate.

21. Messages from the House, and communications from either branch of the Executive Department of the State, may be received, read and disposed of at any time, except when the President is putting a question, while the yeas and nays are being called, or while ballots are being counted, unless objection is made to the reading, when the Senate shall decide.

22. The interim between any two sessions of the Senate on the same day shall be termed a recess, and on the re-assembling at the appointed hour any question pending at the time of taking such recess shall be resumed without any motion to that eff ct.

ON MOTIONS AND QUESTIONS.

23. Every motion shall be reduced to writing, if the President or any Senator so desire; and whenever an amendment is offered to any bill or resolution under consideration by the Senate, or an amendment to any such amendment, the Senator proposing the same shall reduce it to writing and forward it to the Clerk's desk.

24. When a motion is made and seconded, it shall be stated by the President; or, being in writing, it may be read to the Senate by the President or Clerk before debate.

25. After a motion is stated or read by the President, or read by the Clerk, it shall be deemed to be in the possession of the Senate, but may be withdrawn by leave of the Senate at any time before a decision or amendment.

26. All questions, whether in committee or Senate, except privileged questions, shall be put in the order in which they are made, except in filling blanks the largest sum and the longest time shall be first put.

27. Questions shall be distinctly put in this form: "You who are of the opinion (as the question may be), say "aye;" and after the affirmative voice is expressed. "Those of a contrary opinion say "no." If the President doubt, or a division be called for, the Senate shall divide—those in the affirmative of the question first rising from their seats, and afterwards those in the negative; and the President shall determine by counting, announcing the number.

28. When a question is under debate no motion shall be received but to adjourn; to take a recess; to lie on the table; for the previous question; to proceed to the orders of the day; to postpone to a day certain; to commit; to amend; to postpone indefinitely; which several motions shall have precedence of each other in the order in which they are arranged.

29. When a motion is made to commit to a committee of the whole Senate, or to a standing committee, it shall not be in order to amend such motion by substituting any other committee; but if any other committee be suggested, the motion shall be first put upon the committee first named, and afterwards upon the committee or committees suggested, in the order in which they are named.

30. A motion to postpone to a day certain, or indefinitely, being decided, shall not be again allowed at the same stage of the bill or proposition; and if a bill be set for consideration on a certain day, it shall not be considered at an earlier day.

31. A motion to adjourn shall be always in order; but, being decided in the negative, shall not be again entertained until some motion, call, order or discussion shall have taken place.

32. The following questions shall be decided without debate, to-wit: To adjourn; to take a recess; to lie on the table; to take from the table; to go into committee of the whole on the orders of the day; and all questions relating to the priority of business.

33. Leave of the Senate shall be granted by a majority of the Senators present, unless such leave acts as a suspension of a rule, when a two-thirds vote shall be required.

OF AMENDMENTS.

34. No motion or proposition upon a subject different from that under consideration shall be admitted under color of amendment.

35. A motion to strike out and insert shall be deemed divisible; and a refusal to strike out shall be equivalent to agreeing to the matter in that form, but shall not preclude further amendment by way of addition.

RECONSIDERATION.

36. A motion to reconsider a vote must be made by a Senator voting with the majority, or, in case of an equal vote, by a Senator voting with the prevailing side of the question, except when a bill shall fail on its final passage for want of the constitutional number of votes, when the motion to reconsider may come from any Senator, voting on the question; and such motion shall only be admitted when made within the next two days of actual session of the Senate after such vote was taken; and when the motion is to reconsider the vote upon the final passage of a bill, the same shall take precedence of all other motions, except a motion to adjourn.

THE PREVIOUS QUESTION.

37. The previous question shall be put in this form: "Shall the main question now be put?" It shall only be admitted when demanded by three Senators, and until decided shall preclude further debate, and all amendments and motions, except one motion to adjourn, one motion to take a recess, and one motion to lie on the table. All incidental questions, or questions of order, arising after a motion is made for the previous question, and pending such motion, shall be decided without appeal and without debate.

38. On a motion for the previous question, and prior to voting on the same, a call of the Senate shall be in order; but after the demand for the previous question shall have been sustained no call shall be in order, and the Senate shall be brought to an immediate vote—first upon the pending amendments in their order, and then upon the main question.

39. If a call for the previous question be not sustained, the subject under consideration shall not thereby be postponed, but the business shall proceed as if no such call had been made.

QUESTIONS OF ORDER.

40. If any Senator, in speaking or otherwise, transgress the rules of the Senate, the President shall, or any member may, call to order; and the Senator called to order shall take his seat, if required to do so by the President, until the question of order is decided.

41. All questions of order shall be decided by the President, without debate; such decision shall be subject to appeal to the Senate by any two Senators; on which appeal no Senator shall speak more than once, unless by leave of the Senate, and the President may speak in preference to Senators, rising from his seat for that purpose.

42. If the decision be in favor of the Senator called to order, he shall be at liberty to proceed; if otherwise, he shall not be permitted to proceed, in case any Senator object, without leave of the Senate.

43. If a Senator call another to order for words spoken in debate, he shall, if required by the President, reduce to writing the language used by the Senator which he deemed out of order.

44. All questions of order, with the decisions thereon, from which an

appeal may have been taken, shall be noted by the Clerk, and put together at the end of the Journal at each session.

OF COMMITTEES.

45. The several standing and select committees of the Senate shall have leave to report by bill or otherwise; and it shall be in order for the committee on Revision or on Enrollment, to report at any time, when the Senate is not otherwise engaged.

46. All reports of committees shall be signed by such members thereof as concur therein, and the same shall be read by the Clerk, or at the Clerk's desk by the Senator making the report, without a motion, unless the reading be dispensed with by the Senate.

47. No committee shall sit during the sitting of the Senate, unless by special leave.

OF COMMITTEE OF THE WHOLE.

48. When the Senate shall be ready to proceed to the orders of the day, a motion to go into committee of the whole Senate on the orders of the day shall have precedence of all other motions, except to adjourn, to take a recess, and for the previous question.

49. In forming a committee of the whole Senate the President shall leave the chair and appoint a Chairman, who shall preside and vote as other Senators.

50. In committee of the Whole, bills shall be read by the Chairman or Clerk, and considered by sections, unless it shall be otherwise directed by the committee, leaving the preamble to be last considered. The body of the bill shall not be defaced or interlined, but amendments shall be noted by the Chairman or Clerk, on a separate piece of paper, as the same shall be agreed to by the committee, and so reported to the Senate. After being reported, the bill and amendments of the committee shall be immediately taken for consideration, unless it shall be otherwise ordered by the Senate, and again be subjected to discussion or amendment before the question to engross the bill be taken.

51. The rules of proceeding in committee of the Whole shall be the same as in the Senate, so far as may be applicable.

OF BILLS.

52. Every bill shall be introduced on the report of a committee, or upon at least one day's notice, or by leave of the Senate upon a statement of the objects of the bill. All bills proposing the amendment or repeal of any law shall have noted in the title the volume and page where the law proposed to be amended or repealed may be found; and the Clerk of the Senate shall send no bills to be printed without such notes. All bills shall be read the second time in the order in which they are introduced, and, unless made a special order, shall be placed upon the calendar and read the third time in the order in which they are directed to third reading.

53. If opposition be made to the bill on the first reading, the question shall be, "Shall the bill be rejected?" If the bill be not rejected it shall pass to a second reading in the order of proceeding.

54. On the second reading of a bill, the President shall state that it is ready for commitment or engrossment; and if no motion or order be

made to the contrary, it shall be committed to committee of the whole Senate, to be considered in its order; if the bill be ordered to be engrossed, the Senate shall direct on what day it shall be read a third time; but no bill having been amended shall be read the third time without being actually engrossed. Amendments to all House bills, made by the Senate, shall be engrossed in like manner as Senate bills, preparatory to their third reading.

55. When a question is lost on ordering a bill to be engrossed for a third reading on a particular day, it shall not preclude a question to order it to be engrossed for a third reading on a different day, unless a division be called for; but if on a division the question on engrossing a bill, without including the time for its third reading, shall fail, the bill shall be considered as lost.

56. Bills standing in order for third reading shall be taken up and read without a motion to that effect, and (unless otherwise ordered by the Senate) the question shall be put "Shall the bill pass?" And in case any bill which has been set for third reading on a given day shall, for any reason, not be read on that day, it shall stand for third reading on the first succeeding day when bills for third reading shall be reached in the regular order of business.

57. When a bill has passed the Senate, the President or Clerk shall read its title, substituting the word "act" for the word "bill," and the President shall demand if the Senate agree to its title; and if the Senate is agreed, the Clerk shall make out the title accordingly, and shall certify the passage of the bill upon the back thereof.

58. No bill having been passed, or resolution adopted, shall be delayed in transmission to the House because a motion for reconsideration has been made and remains undisposed of. When a motion to reconsider is laid upon the table, it shall not carry the bill or resolution with it.

59. After commitment and report thereof to the Senate, or at any time before its passage, a bill or resolution may be re-committed. After bills have been read the third time they shall not be amended, except by re-commitment to a committee with instructions to amend, which instructions shall embody, substantially, the amendment or amendments proposed.

60. All Senate bills shall be printed and distributed for the use of Senators before the second reading thereof; and in case a Senate or House bill has been amended before being placed upon the calendar for third reading, in placing it upon the calendar for third reading the Clerk shall note the fact that it has been amended.

61. Resolutions giving rise to debate shall lie over for one day before being acted upon, if, upon their introduction in the Senate, or if received from the House, upon their being first read in the Senate, any Senator shall give notice of a desire to discuss the proposition therein contained. The yeas and nays shall be taken upon the adoption of all joint resolutions, and upon all motions to suspend the constitutional rule. Upon the adoption of all joint resolutions and all Senate resolutions involving the expenditure of money, the yeas and nays shall be taken, and entered upon the Journal; and no such resolution involving an expenditure of money, and no resolution having the force and effect of law, shall be adopted, except a majority of all the members elected to the Senate concur therein.

ADMISSION OF VISITORS WITHIN THE BAR OF THE SENATE.

62. During the sitting of the Senate no person shall be admitted within the bar of the Senate, excepting members of the two Houses, their Clerks, assistants and other officers, or persons charged with any message or papers for the Senate, Clergymen by invitation of the President, the Governor of this or any other State, Judges of the Courts, heads of the different departments, members of Congress, gentlemen who have been members of either branch of the legislature of this State, and those who, for the time being, are members of the legislature of other States, and ladies and gentlemen accompanying them, visiting the Senate Chamber, together with such other persons as may, at any time, be specially invited by any member of the present Senate,; and the use of the Senate Chamber shall not be granted, at any time, by resolution or otherwise, for any other than legislative purposes, except, by the unanimous consent of the Senate.

63. It shall be the duty of the Sergeant-at-Arms and his assistants to prevent smoking within the Senate Chamber during the session of the Senate.

OF THE RULES OF THE SENATE.

64. These rules shall not be altered except after at least one day's notice of the intention of alteration; and no rule shall be suspended except by a vote of at least two-thirds of the Senators present.

65. Cushing's Manual shall be received as the rule in all cases not provided for in the foregoing rules, and in cases not provided for by Cushing's Manual, Cushing's Law of Legislative Assemblies shall be the rule.

JOINT RULES

1. Whenever the two branches of the General Assembly shall convene for any purpose required by the constitution or laws of the State, such convention shall be held in the hall of the House of Representatives, unless otherwise ordered by a joint resolution of the two branches. During all such conventions each branch shall be held to be in session as a separate branch of the General Assembly, and be governed by its own rules; and except in voting at elections, where each member is entitled to a separate vote, shall act as such, and no question shall be considered as carried otherwise than by the concurrent action of both branches; provided, that either branch may, by a vote of a majority of all its members, dissolve such convention by withdrawing therefrom; and such convention may, by the concurrent vote of the two branches, take a recess, or adjourn to a time certain; but such a recess or adjournment of the convention shall not be held to be an adjournment or recesss of either branch, nor to prevent either from proceeding with its usual business during such recess or adjournment of the convention.

2. In all elections in joint session a majority of all the votes cast shall be necessary to a choice.

3. All messages shall be conveyed by the Sergeant-at-Arms of the House from which they are sent; and in case of the absence or inability of the Sergeant-at-Arms, then by such person as the President or Speaker (as the case may be) may designate for that purpose.

4. When a message shall be sent by either House to the other, it shall be immediately announced at the bar of the House to which it is sent, by the Sergeant-at-Arms, and shall be by the bearer delivered to the Clerk of the other branch at his desk, who shall read the same to the House to which it belongs, in accordance with the rules or orders of the House to which it is to be read.

5. After a bill or joint resolution has passed one House, and is amended and returned by the other House, it shall not be in order for either House to postpone such bill or joint resolution beyond the session; but all differences between the two Houses relative to amendments may be submitted to committees of Conference.

6. In all cases of difference between the two Houses relative to amendments, the order shall be to insist, in the first instance, before adhering; and the first adherence by either House shall preclude a committee of Conference.

7. Committees of Conference shall be appointed whenever any disagreement of opinion shall exist between the two Houses, which committees shall report the result of their deliberations to their respective Houses.

8. Whenever the committee of Conference of the two Houses shall disagree, other committees may be appointed; and if either of the two Houses shall disagree to any report of the committee of Conference, such House shall forthwith notify the other of such disagreement, and request another committee of Conference; and thereupon other committees shall be appointed.

9. When a bill or joint resolution shall have passed either House, notice thereof shall be forthwith given to the other House.

10. When a bill shall be introduced into either House, advice thereof shall be given to the other House; but no notice of the presentation or reference of petitions, memorials or remonstrances, or of the appointment of committees, except joint committees, shall be given.

11. When a bill or joint resolution which shall have been passed in one House is rejected in the other, or postponed beyond the session thereof, notice shall be given to the other House.

12. When any bill shall have passed one House, and shall be amended in the other, the amendments shall be engrossed upon a separate piece of paper, and the bill, as amended, shall be fully engrossed, and both returned, with the engrossed bill received from the other House, to the House in which it originated. In such engrossment sections of bills or joint resolutions amended shall be engrossed in a plain engrossing hand. Whenever a bill shall be passed in one House and sent to the other, and a substitute therefor is agreed to by such House, in the communication between the Houses such substitute shall be designated and treated as an amendment to the original bill, and the message relating thereto shall definitely show, as in case of other amendments, how the original bill is amended.

13. When any amendment to a bill shall be ordered to be printed, it shall be with the original bill, and the amendment, if it consists in inserting new matter, shall be printed in italics, so as to designate such new matter, and if it consists in striking out part of the original bill, it shall be designated by brackets, so as to show what part or parts of such original bill have been stricken out.

14. After a bill shall have passed both Houses it shall be enrolled by the Clerk of the House in which it originated.

15. When a bill or joint resolution is enrolled it shall be examined by a joint committee of four members from each House, to be appointed a standing committtee for that purpose, whose duty it shall be to compare the enrolled with the engrossed bill or joint resolution passed by the two Houses, and correct any clerical errors which may be discovered, and report forthwith to their respective Houses, the report to be signed by a majority of the joint committee.

16. No bill shall be subject to amendment, commitment, or other action of either House, after the enrolling committee of such House shall have reported the same correctly enrolled.

17. Each bill and joint resolution shall be first signed by the Speaker of the House of Representatives, and then by the President of the Senate, who shall fix the date thereto, and be by the Clerk delivered to a member of the committee of Enrollment on the part of the Senate, who shall deposit the same in the office of the Secretary of State, and take his receipt therefor, which receipt shall be filed with the papers of the Senate.

18. When a bill or joint resolution shall have been passed in either branch, and be sent to the other for concurrence, the accompanying documents shall be transmitted with such bill or joint resolution, and

when so transmitted shall take precedence on the calendar of all bills or joint resolutions originating, and not yet passed, in the branch to which transmitted.

19. The chairman of each committee of the Senate and House of Representative shall, at some time before the final consideration of any bill referred to his committee, give verbal or written notice to the author of the bill, fixing a time when he may be heard by the committee.

20. The Clerks of the Senate and the House of Representative shall cause a calendar for each branch of the General Assembly to be printed and placed upon the desk of each Senator and Representative before the opening of each daily session, showing, for the day, the bills for second reading, the bills for third reading, the special orders of the day, and the bills in committee of the Whole.

21. When an amendment is made in one House to a bill or joint resolution which originated in the other, it shall require the same number of votes to concur in the amendment, in the House in which the bill or resolution originated, as was required to pass the bill or resolution.

22. All committees of Conference shall consist of three on the part of the Senate and three on the part of the House, unless otherwise specially ordered by both Houses.

23. On the adoption of all joint resolutions the yeas and nays shall be called in each House.

JOINT RULES

GOVERNING BILLS PREPARED BY THE CODIFYING COMMISSION.

1. On the introduction and first reading of any bill embodying printed matter prepared by the commission to revise the general statutes, the printing thereof shall be dispensed with.

2. On the second reading of such bill, it shall be referred to the committee of the whole; and until it is disposed of in committee of the whole, the House or Senate shall, so far as necessary, devote the afternoon sessions to its consideration.

3. While the House or Senate is in committee of the whole, the clerk of that branch shall act as clerk of the committee, and keep a minute of its proceedings, carefully numbered and preserving all amendments that may be adopted by the committee.

4. The chairman of the committee of the whole shall each day designate the sections or parts of the bill to be considered the next day, and appoint two members to examine the same in connection with the laws in force covered by such sections or parts so to be considered, and such members shall attend at the next session of the committee prepared to give all needful information on the matters committed to them.

5. When, in committee of the whole, any member wishes to offer an amendment which he is not prepared to put in writing, he may, by the vote of the committee, be allowed time to the next session of the committee to perfect and present the same; and amendments for which time is so given shall be the first matters disposed of at the next session of the committee.

6. After such bill has been fully considered in committee of the whole, and reported to the House or Senate, as the case may be, it shall, without any action by the House or Senate on the amendments proposed by the committed, be committed with the proposed amendments to the proper standing committee.

7. Any amendments adopted by the branch of the Legislature in which such bill is introduced, shall be printed in slips with wide left margin, corresponding in type with that in which the bill is printed, and such amendments so printed shall be pasted by the left margin opposite the amended sections; and no other engrossment of the bill shall be required.

8. The foregoing rules shall apply in the branch into which such bill is originally introduced, and when such bill, engrossed as aforesaid, is received in the other branch, it may take the same course, so far as applicable, or the ordinary course of bills, as such branch may order.

ABSTRACT OF VOTES

Given in the several counties of the State of Ohio for the offices of Governor, Lieutenant-Governor, Auditor of State, Treasurer of State, and Attorney-General, at the annual election held on the second Tuesday of October, A. D. 1877, compiled from the official returns as canvassed by the General Assembly in joint convention on the 9th day of January, A. D. 1878:

Counties.	Governor.						Lieutenant-Governor.					
	William H. West.	Richard M. Bishop.	Lewis H. Bond.	Henry A. Thompson	Stephen Johnson.	Scattering.	Ferdinand Vogeler.	Jabez W. Fitch.	Frank Skarda.	George K. Jenkins.	Chris. Lewis.	Scattering.
Adams	1,862	2,221	.....	24	.....	....	1,727	2,208	.....	104	1	....
Allen	1,956	3,048	.....	13	150	....	1,786	3,020	.....	163	157	....
Ashland	2,121	2,824	.....	9	3	....	2,055	2,815	.....	42	3	1
Ashtabula	5,151	1,930	.....	88	63	1	5,127	1,910	.....	89	64	....
Athens	2,568	2,051	.....	145	15	....	2,510	2,007	.....	234	15	....
Auglaize	1,121	2,339	7	.....	3	....	1,084	2,310	4	7	4	1
Belmont	4,055	4,632	.....	61	358	....	3,986	4,561	.....	154	370	1
Brown	2,211	3,359	.....	19	13	1	2,142	3,343	.....	33	13	1
Butler	2,581	4,987	338	20	4	....	2,441	4,962	340	97	.....	....
Carroll	1,888	1,465	.....	10	8	....	1,871	1,454	.....	16	1	8
Champaign	3,279	2,582	1	31	12	1	3,128	2,508	.....	132	13	1
Clark	3,351	2,785	4	290	210	....	3,180	2,741	1	430	223	....
Clermont	3,043	3,859	2	12	268	32	2,746	3,791	1	205	.....	332
Clinton	2,766	1,709	.....	88	18	....	2,597	1,700	.....	178	19	....
Columbiana	4,255	3,441	.....	12	545	....	4,231	3,399	.....	22	556	....
Coshocton	2,228	2,886	.....	3	15	....	2,095	2,877	.....	100	16	4
Crawford	1,581	3,498	.....	88	89	....	1 532	3,485	.....	129	89	....
Cuyahoga	11,634	10,644	1,519	83	1,567	5	11,559	10,558	1,547	198	1,577	7
Darke	2,612	3,947	.....	39	211	....	2,547	3,925	.....	99	211	....
Defiance	1,017	2,095	.....	.....	455	....	991	2,084	.....	.....	472	21
Delaware	2,383	2,501	.....	291	20	....	2,168	2,467	.....	478	21	1
Erie	2,424	2,486	.....	23	377	....	2,466	2,427	.....	34	377	....
Fairfield	2,417	4,161	12	60	.....	....	2,293	4,140	12	130	.....	....
Fayette	1,992	1,726	1	.....	6	....	1,919	1,703	.....	17	5	....
Franklin	5,028	7,804	16	251	694	6	4,785	7,689	.....	436	723	4
Fulton	1,600	1,156	.....	11	387	....	1,575	1,113	.....	13	411	11

Counties.	Governor.						Lieutenant-Governor.					
	William H. West.	Richard M. Bishop.	Lewis H. Bond.	Henry A. Thompson	Stephen Johnson.	Scattering.	Ferdinand Vogeler.	Jabez W. Fitch.	Frank Skarda.	George K. Jenkins.	Chris Lewis.	Scattering.
Gallia	2,586	1,997	7	18	.....	.....	2,498	1,987	7	88	.....	1
Geauga	2,256	714	.....	6	13	.....	2,180	704	.....	70	13	2
Greene	3,031	2,003	216	162	.....	.....	2,751	1,977	222	373	.....	....
Guernsey	2,701	2,341	1	64	12	.....	2,631	2,290	1	154	11	....
Hamilton	17,156	20,525	9,076	6	24	6	17,363	20,139	9,035	118	10	12
Hancock	2,366	2,854	.....	39	14	7	2,164	2,816	.....	189	14	4
Hardin	2,724	2,724	.....	35	.....	.....	2,680	2,696	.....	93	.....	....
Harrison	2,232	1,912	2	23	7	.....	2,192	1,876	2	66	4	3
Henry	967	1,843	.....	10	19	.....	954	1,831	.....	32	19	....
Highland	3,021	3,056	5	22	.....	.....	2,839	3,009	5	167	2	....
Hocking	1,165	1,876	.....	13	3	.....	1,113	1,848	.....	65	3	....
Holmes	1,000	2,780	.....	16	.....	.....	993	2,757	.....	52	.....	....
Huron	3,274	2,454	.....	128	239	1	3,170	2,433	.....	216	240	1
Jackson	2,003	1,845	2	30	4	.....	1,892	1,814	2	128	7	1
Jefferson	3,178	2,484	.....	65	324	.....	3,150	2,454	.....	103	521	....
Knox	2,588	3,063	117	199	26	.....	2,436	3,027	129	306	26	2
Lake	2,159	906	.....	26	58	.....	2,123	904	.....	47	59	....
Lawrence	2,650	2,417	1	19	463	.....	2,574	2,389	.....	71	495	1
Licking	2,982	4,719	1	100	490	4	2,759	4,704	.....	229	517	...
Logan	2,717	2,045	.....	98	14	.....	2,555	1,987	.....	285	13	...
Lorain	3,886	2,162	.....	37	104	2	3,640	2,133	.....	202	104	3
Lucas	2,671	3,155	7	.....	4,076	.....	2,721	3,010	.....	12	4,139	....
Madison	2,165	2,127	.....	25	.....	.....	2,115	2,112	.....	53	.....	....
Mahoning	2,947	2,820	.....	34	1,339	.....	2,937	2,763	.....	37	1,383	....
Marion	1,534	2,252	23	49	2	.....	1,452	2,242	23	108	2	....
Medina	2,548	1,933	.....	32	36	.....	2,464	1,921	.....	85	38	1

Counties.	Governor:						Lieutenant-Governor.					
	William H. West.	Richard M. Bishop.	Lewis H. Bond.	Henry A. Thompson	Stephen Johnson.	Scattering.	Ferdinand Vogeler.	Jabez W. Fitch.	Frank Skarda.	George K. Jenkins.	Chris Lewis.	Scattering.
Meigs	2,985	2,178	350	97	.....	.....	2,902	2,155	347	171	.....	1
Mercer	708	1,876	.....	.....	12	.....	666	1,874	.....	29	12	.....
Miami	3,564	3,015	.....	54	65	.....	3,319	2,973	.....	283	35	.....
Monroe	1,092	2 927	.....	4	.....	.....	1,078	2,888	.....	48	.....	.....
Montgomery	6,311	7,930	549	100	9	.....	6,116	7,860	663	80	1	.....
Morgan	2,065	1,981	.....	132	16	.....	1,980	1,959	.....	207	16	1
Morrow	1,942	1,945	.....	242	19	.....	1,798	1,927	.....	351	17	.....
Muskingum	4 292	4,994	1	68	309	.....	4 181	4,961	1	162	329	.....
Noble	2,058	2,037	.....	4	1	.....	2,020	2,028	.....	40	1	.....
Ottawa	946	1,944	.....	7	82	.....	920	1,932	.....	37	84	.....
Paulding	973	984	.....	2	52	.....	971	981	.....	3	52	.....
Perry	1,763	2,521	.....	14	519	.....	1 020	2,509	.....	118	529	.....
Pickaway	2,156	3,137	2	9	3	1	2,112	3,129	.....	38	3	.....
Pike	1,125	1,711	31	2	1	.....	1,055	1,702	31	99	1	.....
Portage	3,031	2,624	.....	69	287	.....	3,016	2,589	.....	94	300	.....
Preble	2,461	2,356	11	197	.....	.....	2,326	2,342	9	302	.....	.....
Putnam	1,183	2,614	1	27	2	.....	1,145	2,617	1	52	2	.....
Richland	3,091	4,187	.....	63	10	.....	2,976	4,162	.....	137	10	.....
Ross	3,445	4,084	31	3	60	1	3,342	4,011	30	101	62	1
Sandusky	2,320	3,037	.....	11	139	.....	2,243	3,042	.....	58	145	.....
Scioto	2,610	2,904	6	5	.....	.....	2,597	2,853	6	39	.....	2
Seneca	3,009	3,945	3	84	26	.....	2,909	3,926	3	115	34	3
Shelby	1,565	2,544	.....	12	35	.....	1,517	2,527	.....	47	35	.....
Stark	4,919	5,943	.....	111	903	.....	4,835	5,920	.....	164	906	.....
Summit	3,630	3,248	.....	95	649	.....	3,629	3,187	.....	109	670	.....
Trumbull	4,763	2,584	.....	123	478	.....	4,709	2,551	.....	160	494	.....

Counties.	Governor						Lieutenant-Governor.					
	William H. West.	Richard M. Bishop.	Lewis H. Bond.	Henry A. Thompson	Stephen Johnson.	Scattering.	Ferdinand Vogeler.	Jabez W. Fitch.	Frank Skarda.	George K. Jenkins.	Chris. Lewis.	Scattering.
Tuscarawas	2,858	3,959	143	1	95	.....	2,813	3,915	146	51	97	.....
Union	2,530	1,924	.....	61	2	.....	2,410	1,894	.....	182	2	.....
Van Wert	1,958	2,139	.....	11	81	25	1,855	2,131	.....	41	78	7
Vinton	1,250	1,749	.....	9	2	.....	1,249	1,720	.....	31	5	.....
Warren	3,393	2,087	3	67	11	.....	3,198	2.063	1	213	8	3
Washington	3,464	4,053	.....	54	27	.....	3,415	4,005	.....	95	23	.....
Wayne	3,243	4,114	.....	30	188	.....	3,089	4,085	.....	153	191	.....
Williams	2,330	2,307	.....	13	1	.....	2,279	2,286	.....	53	.....	.....
Wood	2,719	2,512	.....	70	69	.....	2,654	2,497	.....	120	72	.....
Wyandot	1 722	2,405	.....	18	1	.....	1,656	2,394	.....	53	.....	1
Totals	249,105	271,625	12,489	4,836	16,912	93	241,437	268,606	12,571	10,925	16,975	443

Counties.	Judge of the Supreme Court.				
	Wm. W. Johnson.	John W. Okey.	D. C. Montgomery.	Milton L. Clark.	Scattering.
Adams	1,870	2,211	23	.....	.....
Allen	1,983	3,087	5	78	.....
Ashland	2,141	2,816	7	3	.....
Ashtabula	5,171	1,935	90	.....	.....
Athens	2,590	2,009	144	.....	.....
Auglaize	1,119	2,355	.....	1	.....
Belmont	4,107	4,599	64	342	.....
Brown	2,228	3,348	14	2	.....
Butler	2,614	6,029	15	.....	.....
Carroll	1,896	1,460	12	8	.....
Champaign	3,298	2,569	35	1	.....
Clark	3,360	2,760	296	.....	.....
Clermont	3,069	3,807	10	1	305
Clinton	2,781	1,714	82	1	.....
Columbiana	4,283	3,424	13	525	.....
Coshocton	2,231	2,885	3	16	.....
Crawford	1,596	3,530	89	27	.....
Cuyahoga	11,930	11,512	78	261	1
Darke	2,623	3,933	38	312	.....
Defiance	1,017	2,086	.....	468	.....
Delaware	2,406	2,485	290	13	.....
Erie	2,469	2,457	23	376	.....
Fairfield	2,423	4,164	60	.....	.....
Fayette	2,020	1,701	.....	.....	.....
Franklin	5,027	7,742	253	674	2
Fulton	1,626	1,409	11	107	1
Gallia	2,605	1,981	7	.....	.....
Geauga	2,277	703	6	10	.....
Greene	3,049	1,978	165	.....	.....
Guernsey	2.725	2,319	64	6	1
Hamilton	17,808	20,133	2	.....	1
Hancock	2,394	2,833	41	14	.....
Hardin	2,770	2,703	34	.....	.....
Harrison	2,246	1,902	24	4	2
Henry	987	1,835	10	20	.....
Highland	3,054	3,029	19	.....	.....
Hocking	1,040	1,862	13	3	.....
Holmes	1,009	2,764	13	.....	.....
Huron	3,302	2.433	137	238	.....
Jackson	2,041	1,820	27	.....	1
Jefferson	3,215	2,450	66	323	.....
Knox	2,604	3,033	210	.....	.....
Lake	2,165	885	27	45	.....
Lawrence	2,913	2,245	19	244	.....
Licking	2,743	4,704	109	6	.....
Logan	2,788	2,011	121	13	.....
Lorain	3,920	2,165	35	82	2
Lucas	2,785	2,963	.....	4,1?8	5

Counties.	Judge of the Supreme Court.				
	Wm. W. Johnson.	John W. Okey.	D. C. Montgomery.	Milton L. Clark.	Scattering.
Madison	2,175	2,116	26	.....	.....
Mahoning	2,976	2,751	34	1,384	.....
Marion	1,537	2,253	43	.....	22
Medina	2,559	1,927	31	34	.....
Meigs	3,007	2,153	100	.....	.....
Mercer	709	1.876	.....	12	.....
Miami	3,605	30,04	81	2	.....
Monroe	1,095	2,877	1	.....	4
Montgomery	6,305	7,875	79	.....	.....
Morgan	2,078	1,979	135	1	1
Morrow	1,951	1,935	31	.....	220
Muskingum	4,353	4,950	58	298	.....
Noble	2,065	2,032	4	1	.....
Ottawa	956	1,937	7	83	.....
Paulding	977	982	.....	52	.....
Perry	1,638	2,989	13	29	.....
Pickaway	2,169	3,132	10	2	.....
Pike	1,122	1,711	41	.....	.....
Portage	3,056	2,626	71	265	.....
Preble	2,467	2,345	188	.....	.....
Putnam	1 179	2,622	26	2	.....
Richland	3,111	4,169	67	6	.....
Ross	3,513	4,074	3	.....	.....
Sandusky	2,318	3,047	11	140	.....
Scioto	2,701	2.823	2	.....	.....
Seneca	3.043	3,942	85	14	.....
Shelby	1,592	2,537	4	3	.....
Stark	5,016	6,066	94	.....	.....
Summit	3,669	3,200	98	659	.....
Trumbull	4,786	2,555	125	483	.....
Tuscarawas	2,876	3,939	1	99	.....
Union	2,557	1,908	61	1	.....
Van Wert	1,969	2,176	10	12	10
Vinton	1,283	1,727	5	4	.....
Warren	3,405	2,074	50	.....	.....
Washington	3,528	4,037	59	.....	.....
Wayne	3,250	4,106	27	191	.....
Williams	2,350	2,290	10	.....	.....
Wood	2,746	2,489	66	72	.....
Wyandot	1,734	2,391	16	1	.....
Totals	251,758	271,393	4,577	12,132	594

Counties.	Attorney-General.				
	George K. Nash.	Isaiah Pillars.	David W. Gage.	George A. Duncan.	Scattering.
Adams	1,875	2,211	24	.....	.....
Allen	1,909	3,112	5	144	.....
Ashland	2,139	2,816	7	3	.....
Ashtabula	5,180	1,906	89	64	.....
Athens	2,630	2,001	145	15	.....
Auglaize	1,116	2,320	.....	4	.....
Belmont	4,108	4,573	57	364	.....
Brown	2,229	3,347	5	13	.....
Butler	2,619	5,025	16	.....	.....
Carroll	1,892	1,458	13	8	.....
Champaign	3,304	2,567	35	11	.....
Clark	3,367	2,759	299	212	.....
Clermont	3,073	3,805	9	.....	307
Clinton	2,786	1,698	82	18	.....
Columbiana	4,283	3,398	13	551	.....
Coshocton	2,231	2,886	3	16	.....
Crawford	1,586	3,491	90	89	.....
Cuyahoga	11,796	10,451	89	1,568	.....
Darke	2,628	4,055	37	213	.....
Defiance	1,017	2,086	.....	467	.....
Delaware	2,404	2,482	288	15	.....
Erie	2,468	2,459	23	377	.....
Fairfield	2,426	4,160	60	.....	.....
Fayette	2,014	1,702	.....	5	2
Franklin	5,306	7,488	241	583	11
Fulton	1,625	1,104	11	415	.....
Gallia	2,600	1,989	18	.....	.....
Geauga	2,278	700	6	13	.....
Greene	3,058	1,979	165	.....	.....
Guernsey	2,714	2,326	66	11	.....
Hamilton	17,898	20,055	3	5	1
Hancock	2,395	2,830	42	14	.....
Hardin	2,772	2,698	33	.....	.....
Harrison	2,248	1,899	24	4	2
Henry	986	1,836	10	20	.....
Highland	3,057	3,023	20	2	.....
Hocking	1,187	1,864	14	3	.....
Holmes	1,007	2,767	13	.....	.....
Huron	3,303	2,433	136	242	.....
Jackson	2,028	1,830	31	3	.....
Jefferson	3,228	2,434	67	322	.....
Knox	2,610	3,031	205	26	.....
Lake	2,166	899	27	58	.....
Lawrence	2,646	2,396	24	488	.....
Licking	2,968	4,712	110	507	.....
Logan	2,791	2,012	122	13	.....
Lorain	3,922	2,148	35	103	.....
Lucas	2,786	2,957	.....	4,159	.....

Counties.	Attorney-General.				
	George K. Nash.	Isaiah Pillars.	David W. Gage.	George A. Duncan.	Scattering.
Madison	2,173	2,116	26	.....	.....
Mahoning	2,977	2,751	33	1,382	.....
Marion	1,539	2,254	43	2	.....
Medina	2,561	1,925	30	36	.....
Meigs	3,005	2,155	97	.....	3
Mercer	710	1,875	.....	12	.....
Miami	3,573	2,988	63	33	.....
Monroe	1,105	2,915	.....	.....	.....
Montgomery	6,286	7,876	80	1	.....
Morgan	2,077	1,966	137	16	.....
Morrow	1,948	1,934	31	15	219
Muskingum	4,332	4,963	66	300	.....
Noble	2 069	2,028	4	1	.....
Ottawa	956	1,396	7	83	.....
Paulding	976	985	.....	52	.....
Perry	1,760	2,512	12	526	9
Pickaway	2,173	3,129	10	3	.....
Pike	1,132	1,708	41	1	.....
Portage	3,056	2,590	71	303	.....
Preble	2,473	2,346	194	.....	.....
Putnam	1,164	2,625	25	2	.....
Richland	3,109	4,167	67	9	.....
Ross	3,512	4,048	3	63	.....
Sandusky	2,323	3,033	11	145	.....
Scioto	2,671	2,860	2	.....	7
Seneca	3,141	3,917	86	27	1
Shelby	1,594	2,536	4	32	.....
Stark	4,959	5,924	25	898	.....
Summit	3,669	3,196	96	670	.....
Trumbull	4,785	2,555	126	478	.....
Tuscarawas	2,876	3,938	1	97	.....
Union	2,558	1,904	63	2	.....
Van Wert	1,968	2,133	68	73	.....
Vinton	1,278	1,731	5	5	.....
Warren	3,409	2,075	49	11	.....
Washington	3,521	4,008	59	18	.....
Wayne	3,250	4,103	30	191	.....
Williams	2,348	2,292	10	.....	.....
Wood	2,751	2,479	67	69	.....
Wyandot	1,734	2,392	16	1	.....
Totals	252,155	269,506	4,640	16,705	579

Counties.	Treasurer of State.					
	John M. Millikin.	Anthony Howells.	Lucius A. Hine.	Arza Alderman.	Joseph Junkins.	Scattering.
Adams	1,872	2,212	.....	24	.....	.....
Allen	1,969	3,052	.....	5	146	.....
Ashland	2,142	2,813	.....	8	3	.....
Ashtabula	5,178	1,908	.....	90	51	.....
Athens	2,623	2,005	.....	147	16	.....
Auglaize	1,119	2,320	4	.....	3	.....
Belmont	4,107	4,584	.....	64	359	.....
Brown	2,223	3,348	.....	5	12	.....
Butler	2,684	4,881	341	15	.....	.....
Carroll	1,895	1,455	.....	12	9	.....
Champaign	3,301	2,569	.....	35	10	.....
Clark	3,368	2,760	4	296	213	.....
Clermont	3,060	3,800	17	10	307	.....
Clinton	2,782	1,702	.....	83	18	.....
Columbiana	4,280	3,400	.....	13	553	.....
Coshocton	2,231	2.886	.....	3	16	.....
Crawford	1,581	3,500	.....	99	89	.....
Cuyahoga	11,742	10,616	1,505	84	1,456	8
Darke	2,630	3,942	.....	37	213	.....
Defiance	1,014	2,087	.....	.....	469	.....
Delaware	2,392	2,492	.....	287	20	.....
Erie	2,464	2,460	.....	23	380	.....
Fairfield	2,418	4,161	5	60	.....	.....
Fayette	2,014	1,702	1	.....	5	.....
Franklin	5,135	7,791	2	266	613	7
Fulton	1,624	1,105	11	.....	415	.....
Gallia	2,584	2,008	4	18	.....	.....
Geauga	2,279	702	.....	6	13	.....
Greene	3,050	1,978	226	160	.....	.....
Guernsey	2,712	2,329	1	68	11	.....
Hamilton	17,825	20,056	9,156	3	6	3
Hancock	2,397	2,840	.....	40	14	.....
Hardin	2,771	2,702	.....	33	.....	.....
Harrison	2,249	1.808	3	23	6	.....
Henry	987	1,836	.....	10	19	.....
Highland	3,054	3,027	4	20	2	.....
Hocking	1,184	1,864	.....	14	3	.....
Holmes	1,007	2,768	.....	13	.....	.....
Huron	3,302	2,434	.....	138	237	.....
Jackson	2,004	1,852	.....	28	2	1
Jefferson	3,218	2.422	.....	69	325	.....
Knox	2,608	3,031	122	205	27	.....
Lake	2.168	899	.....	27	58	.....
Lawrence	2.620	2 318	.....	25	486	.....
Licking	2,912	4.727	.....	106	497	2
Logan	2,794	2,011	.....	123	13	.....
Lorain	3,926	2,147	.....	35	103	.....
Lucas	2,794	2,954	.....	.....	4,158	.....

Counties.	Treasurer of State.					
	John M. Millikin.	Anthony Howells.	Lucius A. Hine.	Arza Alderman.	Joseph Junkins.	Scattering.
Madison	2,177	2,114	.....	26	.....	.....
Mahoning	2,839	3,206	.....	32	1,064	.....
Marion	1,537	2,255	22	40	2	.....
Medina	2,559	1,927	.....	31	36	.....
Meigs	2,936	2,253	326	100	.....	.....
Mercer	710	1,876	.....	.....	12	.....
Miami	3,594	2,986	.....	79	33	.....
Monroe	1,105	2,916	.....	4	.....	.....
Montgomery	6,295	7,873	635	77	3	.....
Morgan	2,071	1,962	.....	147	16	.....
Morrow	1,953	1,922	.....	32	18	.....
Muskingum	4,316	4,983	1	67	294	217
Noble	2,067	2,029	.....	4	1	.....
Ottawa	958	1,935	.....	7	82	.....
Paulding	977	972	.....	.....	50	.....
Perry	1,610	2,591	.....	13	507	.....
Pickaway	2,171	3,130	.....	10	3	.....
Pike	1,129	1,651	31	41	1	.....
Portage	3,041	2,603	.....	71	300	.....
Preble	2,474	2,344	10	192	.....	.....
Putnam	1,172	2,631	1	27	2	.....
Richland	3,111	4,168	.....	67	11	.....
Ross	3,504	4,048	30	3	60	1
Sandusky	2,328	3,030	.....	11	144	.....
Scioto	2,660	2,868	6	2	.....	1
Seneca	3,036	3,925	3	86	24	.....
Shelby	1,593	2,536	.....	4	33	.....
Stark	4,680	6,138	.....	92	835	.....
Summit	3,624	3,284	.....	97	625	.....
Trumbull	4,627	2,829	.....	125	361	1
Tuscarawas	2,833	3,956	146	1	130	.....
Union	2,559	1,907	.....	61	1	.....
Van Wert	1,963	2,139	.....	10	77	.....
Vinton	1,280	1,727	.....	5	5	.....
Warren	3,409	2,074	1	49	11	.....
Washington	3,498	4,010	.....	50	28	.....
Wayne	3,222	4,135	.....	29	188	.....
Williams	2,351	2,290	.....	10	.....	.....
Wood	2,749	2,489	.....	66	71	.....
Wyandot	1,735	2,395	.....	16	1	.....
Totals	250,746	270,461	12,618	4,623	16,985	241

REPORT

OF

SPECIAL COMMITTEE,

APPOINTED UNDER

SENATE JOINT RESOLUTION NO. 10,

TO INVESTIGATE CHARGES MADE AGAINST CERTAIN PENITENTIARY OFFICIALS.

REPORT OF SPECIAL COMMITTEE

APPOINTED UNDER SENATE JOINT RESOLUTION NO. 10, TO INVESTIGATE CHARGES MADE AGAINST CERTAIN PENITENTIARY OFFICIALS.

To the General Assembly of the State of Ohio:

The Select Joint Committee of the Senate and House of Representatives, to whom was referred Senate Joint Resolution No. 10, requiring said committee to investigate certain charges and reports involving the official conduct and integrity of certain officers and servants of the State employed in the direction, supervision and management of the affairs of the State penitentiary, beg leave to submit the following report to the General Assembly:

First. That it was charged, and reported before your committee, that Daniel L. June, holding the honorable office of a director of the State penitentiary of Ohio, had received the sum of five hundred dollars from one Perry Close, of Fremont, in this State, convicted of the crime of "assault with intent to wound," at the October term of the Court of Common Pleas for the county of Sandusky, in the year 1877, and sentenced to be confined at hard labor, for the term of one year, in the said penitentiary, as a sum of money necessary to be paid by him, the said Close, and to be used by him, the said June, in order to secure the pardon of the convicted prisoner.

Second. That thereupon your committee summoned the said Perry Close, and other witnesses who were reported to have knowledge of the transaction referred to, and whose testimony was taken, under oath, by your committee, and is herewith submitted to your honorable body.

Your committee find, from the testimony of the said Perry Close, which is abundantly confirmed by that of S. F. West of Columbus, Ohio; of William E. Haynes and N. C. West, of Fremont, Ohio: of Rodney Foos, of Columbus, Ohio, private secretary of His Excellency Thos. L. Young, who granted said pardon; and of H. E. O'Hagan, of Sandusky, and from telegrams accompanying their testimony, and herewith produced with said testimony; that the said Perry Close was tried, convicted, and sentenced, as alleged; that after his said conviction and sentence, a very large number of the most reputable citizens of Fremont, neighbors and patrons of the said Close for many years, at a public meeting expressed their belief that the said Close was a proper subject for executive clemency; that through a committee of well-known citizens, of established reputation for integrity, they appealed, in person, to Governor Young, to extend a full pardon to the prisoner; that their said appeal was fully approved and supported by the judge who presided at the said trial, and by the jury which convicted him, and that, furthermore, His Excellency Rutherford B. Hayes had also borne testimony to the good character of the prisoner, and solicited in his behalf executive clemency; that the said June then afterwards, on or about the 5th day

of December, 1877, proposed to the said Close to come to Columbus, and, if possible, to obtain his pardon; that the said Close thereupon gave him twenty-five dollars to defray his expenses; that said June returned some days after with the report that the Governor of the State was absent from Columbus; that, thereupon, he, said Close, gave the said June twenty-five dollars additional, to return to Columbus the following week, and use his best endeavors to secure the pardon so desired; that said June did so return; that he, the prisoner, and in custody of the Sheriff of said county of Sandusky, came to Columbus the following Tuesday, to-wit, on the 18th day of December last; that he met the said June at about five o'clock on the afternoon of said day, at Kaufman's Exchange hotel; that said Close then and there paid to said June the sum of five hundred dollars in currency, as the sum necessary to be used by him, the said June, in order to secure the said pardon; that the said June thereupon went to the office ot the Governor of the State, Thomas L. Young, when the usual and necessary papers granting the pardon were delivered to him, duly signed by the Chief Executive, and attested by the great seal of the State; that he, the said June, thereupon returned to the said Exchange Hotel, and delivered the papers, in duplicate, one to the prisoner and one to the aforesaid sheriff, whereupon the former was released from custody.

Your committee, however, find, from the testimony, that the Governor of the State had previously, and not upon the intercession of the said June, decided to grant the aforesaid pardon; that, in fact, he had ordered his Secretary to make out the necessary papers many hours before; that they had been so made out; that, in the judgment of your committee, the Governor had most wisely and humanely exercised his high prerogative of granting the said pardon, and that he was fully justified in so exercising his clemency by all the circumstances of the case, and that the act of pardon was equally an act of jnstice and of mercy: and that the act, by said D. L. June, of extorting said five hundred dollars from the prisoner, Close, was a crime and an outrage, for which, if there be no legal punishment, such a punishment should be at once provided by law.

Third. Your committee further find that as soon as the said Thomas L. Young, Governor of the State of Ohio, was advised of the report that the said D. L. June had been paid the said sum of five hundred dollars he immediately telegraphed the said Close and the said June to appear before him at his office in the city of Columbus; that they did so appear on the following day, to-wit, on the 10th day of January, 1878; that the said Close then and there asserted that he had paid the said June the said five hundred dollars, in the manner and for the purpose before named; that the said June then and there admitted that he had received the said money, but claimed that he had given it to two other parties, whose names he refused to disclose under the emphatic and imperative demand of the Governor. Your committee has no doubt, from the testimony, that the said D. L. June appropriated the whole sum of five hundred dollars to his own use, and that in so doing he equally dishonored his high office and himself.

Your committee cannot dismiss this subject without bearing their united testimony to the fidelity, propriety, and humanity with which His Excellency, Governor Young, discharged his whole duty in the case.

The next charge to which the attention of your committee was directed, was that the State had been defrauded by the supervisor or foreman having charge of the stone work of what is known as the addi-

tion to the State Penitentiary, in that the men employed in cutting stone, were allowed and credited on the regular labor rolls, more time than they had actually made, and had been paid accordingly. Upon this point your committee examined several of the said laborers so employed, and they find and report from the testimony of the following persons, to-wit, David Scobey, Archibald McNutt, J. A. Williams, Thomas S. Cunningham, J. E. Hartman, J. H. Hayford, and that they were allowed upon said labor rolls more time than they were entitled to, and had receipted for more wages than they had actually earned.

But your committee also find that these mis-entries resulted from the following facts, to-wit: that the foreman in charge of the work was in the habit of advancing tools or money in small amounts to the said stonecutters, who thereby became indebted to him, and that upon their being discharged from or voluntarily leaving the service, and in order to secure the money thus due him, a portion of their time due to them and corresponding to the wages due to them for such actual service, was transferred upon the regular rolls to other workmen, who upon the usual pay day received and receipted for this extra amount as due to themselves, but thereafterwards immediately paid it over to the foreman to whom the amount was due and owing. The name of this foreman was J. E. Hartman.

Your committee find that this mode of keeping the pay rolls and securing the foreman, was suggested by the clerk or book-keeper employed in the office of the Steward, and with the knowledge and consent of those who owed the foreman. and while they do not find that the State lost any money, or was in any way defrauded thereby, they do find that the entries and payments referred to were unusual, improper, and false, and that the directors, when their attention was called to the facts, should, in addition to expressing disapprobation of the same and reprimanding the said clerk or cashier, (which was done) have dismissed him from the service of the State. The names of the persons receiving and receipting for wages credited to them but not earned by them, appear in the testimony herewith submitted to the General Assembly, and are the same persons who were indebted to the foreman. Your committee can not too severely censure this habit or mode of keeping the accounts of that most important office, nor the neglect of the proper officers in knowingly retaining in office a cashier or clerk consenting to it. This is the only instance of the kind brought to our knowledge.

The next charge to which your committee directed their attention, was that the said directors and Steward had defrauded the State in the contracts made for stone furnished for the said addition to the penitentiary building, both for stone quarried at the State quarries, near Columbus, and that furnished by contractors residing in Berea, Ohio. Your committee, upon careful examination, found, and now report, upon the testimony herewith submitted, that the said charge is not sustained by the facts and testimony.

The next charge to which the committee gave their attention, was to the effect that Keller, a director of the penitentiary, had been a party to sundry contracts for furnishing beef cattle to the State for consumption in the penitentiary, and at a price above the market. Your committee, however, found, upon the testimony herewith submitted, that the said charge was wholly groundless, and hereby fully and emphatically acquit the said director.

All of which is respectfully submitted to your honorable body, and your committee ask to be discharged.

D. Joy,
H. C. Lord,
Senate Committee.

S. S. Bloom,
H. P. Clough,
M. S. Creamer,
House Committee.

QUESTIONS OF ORDER,

DECIDED BY THE PRESIDENT AND THE PRESIDENT *pro tem.*

WEDNESDAY, FEBRUARY 13, 1878, (pp. 161—2.)

Mr. Owens moved to refer substitute for H. B. No. 1 to a select committee of one with instructions to amend as follows:

In section 6, lines 5, 6 and 7, strike out the words "one from each county in the State, upon satisfactory application, until the proper number shall have been appointed."

Mr. Carson raised the point of order that said motion was out of order, as matter that the Senate had refused to strike out could not again be made the subject of amendment in the same form.

The President ruled the point of order not well taken, the bill being in a different stage.

Mr. Carson appealed from the decision of the President.

The question being "Shall the decision of the President be sustained?"

The same was decided in the affirmative.

FRIDAY, MARCH 15, 1878.

Mr. Sherrick moved that H. B. No. 12 be taken from the table.

Which was agreed to.

After some debate on the bill, Mr. Johnston raised the point of order that he had objected, and that the bill had not therefore been taken from the table.

The President decided that as there had been proceedings had upon the bill before the gentleman raised his point of order, that his objections came too late, and the bill was therefore before the Senate.

TUESDAY, APRIL 9, 1878.

Mr. Seitz moved that the vote whereby the Senate refused to advise and consent to the appointment of James D. Poston, be reconsidered.

Mr. Wilson raised the point of order that Mr. Seitz, not having voted with the majority on said question, could not make a motion to reconsider.

Mr. Wilson moved that the consideration of said point of order be postponed until to-morrow at ten o'clock a. m.

Which was disagreed to.

The President ruled that the Senator from Seneca county, Mr. Seitz, was in order in moving a reconsideration of the vote by which the confirmation of Mr. Poston was lost, the Senator having voted against the confirmation and with the minority, but with the prevailing side. The President held that the motion of Mr. Seitz was in order because the confirmation was lost for lack of a constitutional majority, and that the rule that a person voting with the majority can alone move a reconsideration is intended to hold good where the majority is successful; the intent of the parliamentary rule evidently being that a person voting with the successful side may move a reconsideration.

Mr. Wilson appealed from said decision of the President.

The question being "Shall the decision of the President stand as the opinion of the Senate?"

Mr. Irvine moved that the Senate take a recess until to-morrow morning at 10 o'clock.

Mr. Sherrick moved to amend by inserting 7½ o'clock this evening.

Which was disagreed to.

The question recurring on the motion to take a recess until to-morrow morning at 10 o'clock, the yeas and nays were demanded, taken, and resulted—yeas 15, nays 17, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Curtiss, Forrest, Howland, Irvine, Jackson of Clinton, Kelley, Owens, Sabine, Saltzgaber, Wagener, Williams and Wilson—15.

Those who voted in the negative were—

Messrs. Benson, Carlisle, Carson, Dungan, Fisher, Grove, Jackson of Perry, Johnston, Krimmel, Marsh, McDonald, Parker, Richards, Seitz, Sherrick, Steedman and Tyler—17.

So the motion was disagreed to.

The question recurring "Shall the decision of the President stand as the opinion of the Senate?" the yeas and nays were taken and resulted—yeas 23, nays 8, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Beebe, Beer, Benson, Carson, Curtiss, Dungan, Fisher, Forrest, Grove, Jackson of Perry, Johnston, Kelley, Krimmel, Lord, McDonald, Owens, Parker, Seitz, Sherrick, Tyler, Wagener and Williams—23.

Those who voted in the negative were—

Messrs. Howland, Jackson of Clinton, Marsh, Richards, Sabine, Saltzgaber, Steedman and Wilson—8.

So the decision of the President was sustained.

TUESDAY, ARPIL 30, 1878.

Mr. Seitz moved that the Senate resolve itself into a committee of the Whole, for the consideration of H. B. No. 403.

Under rule 30, the President *pro tem.* decided the motion out of order, as the Senate had made said bill a special order for a certain day, and, under the rule, that order could not be changed.

Mr. Forrest appealed from the decision of the Chair.

The question being "Shall the decision of the Chair stand as the opinion of the Senate?"—

Mr. Krimmel moved that the Senate adjourn.

On which motion the yeas and nays were demanded, taken and resulted—yeas 16, nays 10, as follows:

Those who voted in the affirmative were—

Messrs. Beebe, Carlisle, Carson, Curtiss, Grove, Howland, Jackson of Clinton, Johnston, Kelley, Krimmel, Lord, Richards, Sabine, Saltzgaber, Tyler, Williams and Wilson—16.

Those who voted in the negative were—

Messrs. Dungan, Fisher, Forrest, Joy, Parker, Seitz, Sherrick, Steedman, Stokes and Wagener—10.

So the motion was agreed to, and the Senate adjourned.

TUESDAY, MAY 7, 1878.

On motion of Mr. Saltzgaber, H. B. No. 41 was ordered engrossed and read the third time.

Pending the reading of which—

Mr. Carisle moved that the Senate take a recess until 2 o'clock p. m.

Which was disagreed to.

The third reading was continued when—

Mr. Richards moved that the Senate take a recess.

Which was disagreed to.

During the continuance of the third reading of said bill—

Mr. Richards demanded a call of the Senate.

The President decided the motion out of order, as the Senate had ordered the third reading of H. B. No. 41, and that during the carrying out of such an order, a call of the Senate was not in order.

Mr. Richards appealed from the decision of the President.

The question being "Shall the decision of the President stand as the opinion of the Senate?" the yeas and nays were taken and resulted—yeas 15, nays none, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Dungan, Fisher, Forrest, McDonald, Owens, Parker, Saltzgaber, Sherrick, Stokes and Tyler—15.

Messrs. Beer, Curtiss, Howland, Richards and Sabine were present, but refused to vote.

So the decision of the President was sustained.

Mr. Howland moved that the Senate adjourn.

On which motion the yeas and nays were demanded, taken and resulted—yeas 3, nays 16, as follows:

Those who voted in the affirmative were—

Messrs. Beer, Howland and Richards—3.

Those who voted in the negative were—

Messrs. Benson, Carlisle, Carson, Curtiss, Dungan, Fisher, Forrest, Irvine, McDonald, Owens, Parker, Saltzgaber, Sherrick, Stokes, Tyler and Wagener—16.

So the motion was disagreed to.

Pending said third reading—

Mr. Richards moved that the bill be laid upon the table.

Mr. Beer moved that the Senate take a recess.

The President decided said motion out of order, a similar motion having already been made during the third reading of said bill.

Mr. Beer appealed from the decision of the President.

Said appeal was entertained by the President.

The question being "Shall the decision of the President stand as the

opinion of the Senate?" the yeas and nays were taken and resulted—yeas 14, nays 4, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carson, Dungan, Fisher, Forrest, Irvine, McDonald, Owens, Parker, Saltzgaber, Sherrick, Stokes and Wagener—14.

Those who voted in the negative were—

Messrs. Curtiss, Howland, Kelley and Richards—4.

So the decision of the President was sustained.

SATURDAY, MAY 11, 1878.

Mr. Fisher moved that the vote whereby the Senate appointed the last committee of Conference on matters of difference between the two Houses on H. B. No. 403, be reconsidered.

Mr. Curtiss raised the point of order that, the committee having been appointed, the motion could not be reconsidered.

The President ruled the point of order well taken.

SATURDAY, MAY 11, 1878.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Mr. President:

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is requested:

H. J. R. No. 57—Mr. Meuser—Rescinding Joint Resolution No. 1.

Attest: L. A. BRUNNER, *Clerk.*

The question being on the adoption of said resolution—

Mr. Joy demanded a call of the Senate, and 33 Senators answered to their names.

Mr. Grove was absent.

On motion of Mr. Joy, further proceedings under the call were dispensed with.

The question being on the adoption of the resolution—

Mr. Richards gave notice of his intention to discuss the resolution.

Mr. Owens raised the point of order that, inasmuch as a call of the Senate had intervened, notice to discuss was out of order.

The President decided the point of order well taken, from which decision Mr. Richards appealed to the Senate.

The question being "Shall the decision of the President stand as the judgment of the Senate?"—

The yeas and nays were taken, and resulted—yeas 20, nays 11, as follows:

Those who voted in the affirmative were—

Messrs. Armstrong, Benson, Carlisle, Carson, Curtiss, Forrest, Grove, Irvine, Joy, Krimmel, Lord, McDonald, Owens, Saltzgaber, Sherrick, Steedman, Stokes, Tyler, Wagener and Williams—20.

Those who voted in the negative were—

Messrs. Beer, Fisher, Howland, Johnston, Kelly, Marsh, Parker, Richards, Sabine, Seitz, and Wilson—11.

So the decision of the President was sustained.

WEDNESDAY, MAY 15, 1878.

MESSAGE FROM THE GOVERNOR.

THE STATE OF OHIO, EXECUTIVE DEPARTMENT,

COLUMBUS, 15TH DAY OF MAY, 1878.

To the Senate:

I have the honor to nominate, and by and with the advice and consent of the Senate appoint—

Frederick W. Green, of Cuyahoga county, to be "State Inspector of Oils," for the term of two years.

Very respectfully,

RICHARD M. BISHOP, *Governor.*

Mr. Benson moved that the Senate advise and consent to said appointment.

Mr. Forrest raised the point of order that the bill authorizing the appointment was not a law, as the President had not yet signed the same.

The President announced that the bill was on his desk, and that he had signed it.

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[In preparing the Index the Clerk has made it as brief as possible, and has tried at the same time to make it a guide to the contents of the Journal. All matters relating to Legislation will be found under the heads of "Bills" and "Resolutions."]

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SALTZGABER, G. M., Senator from Thirty-second District—
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oath administered to 5
STEEDMAN, JAMES B., Senator from Thirty-third District—
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STOKES, WM. H., Senator from Second District—
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SEITZ, JOHN, Senator from Thirty-first District—
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BILLS OF THE SENATE.

Number.	AUTHOR AND TITLE.
1	Mr. Richards—To amend the militia law
2	Mr. Saltzgaber—To amend the interest law
3	Mr. Lord - To amend the banking law
4	Mr. Jackson of Perry—To regulate the payment of wages in script
5	Mr. Curtiss—To exempt cities of a certain grade from the provisions of acts named
6	Mr. Forrest—Relating to commissioners of Hamilton Co
7	Mr. Forrest—To provide stenographers for certain courts
8	Mr. Forrest—To fix the duration of a day's labor
9	Mr. Joy—To authorize the Commissioners of Hancock Co. to levy a tax
10	Mr. Marsh—To amend the criminal code
11	Mr. Benson—To reorganize the Girls' Industrial Home
12	Mr. Tyler—To amend an act relating to delinquent taxes
13	Mr. Saltzgaber - To repeal an act relating to bills of sale
14	Mr. Dungan—To amend an act relating to the poor
15	Mr. Johnston—Relating to partnership associations
16	Mr. Jackson of Perry - To amend the civil code
17	Mr. Beer—To authorize the village of Ashland to purchase a fire engine
18	Mr. Kimmel—To reorganize the Reform School for Boys
19	Mr. Owens—To amend the act relating to justices of the peace
20	Mr. Owens—To prevent the practice of carrying cases to distant courts
21	Mr. Richards—To amend an act relating to horse thieves
22	Mr. Saltzgaber—To fix the compensation of the Attorney General
23	Mr. Lord—To amend an act relating to incorporated companies
24	Mr. Richards—To give priority in trial to claims for wages
25	Mr. Steedman—To amend an act relating to the traffic in liquors
26	Mr. Johnston—To abolish the office of Railroad Commissioner
27	Mr. Jackson of Perry—To change time of holding courts in the Perry District
28	Mr. Forrest—To compensate members of Boards of Equalization
29	Mr. Owens—To prevent fraud in canvassing election returns
30	Mr. Saltzgaber—To amend Sec. 139 of the Justices' code
31	Mr. Johnston -To amend an act relating to roads
32	Mr. Armstrong—To regulate brokerage
33	Mr. Tyler—To amend an act relating to delinquent taxes
34	Mr. Forrest—The militia code
35	Mr. Seitz—To abolish State Board of Charities
36	Mr. Seitz - To abolish the Bureau of Labor Statistics
37	Mr. Joy—To amend an act relating to roads
38	Mr. Saltzgaber—To enforce laws exempting property of debtors from sale
39	Mr. Marsh—To amend the criminal code
40	Mr. Johnston—To punish certain offenses
41	Mr. Fisher—Relating to the Coshocton county infirmary
42	Mr. Owens—To amend an act relating to the city of Newark
43	Mr. Saltzgaber—To create a special school district in Marion county
44	Mr. Grove—To give owners of estates in remainder certain rights
45	Mr. Steedman—To provide for the redemption of property sold on execution
46	Mr. Owens—Authorizing the Licking Co. agricultural society to borrow money
47	Mr. Owens—To refund certain taxes
48	Mr. Parker—To authorize the city of Fremont to issue bonds
49	Mr. Sherrick—To revise the laws on taxation
50	Mr. Dungan—To make silver coins a legal tender

BILLS OF THE SENATE—Continued.

Introduced.	Referred.	Reported.	Amended.	On table.	Passed Senate.	Indefinitely postponed and lost.	Enrolled and signed.
12	20	49	49	53	...	...	... ...
12	20	49	50	...	...	54	... ...
14	20	136	296	...	309	...	... ...
15	20	307	319	...	319	...	825, 827
15	20	157	157	...	167	...	... ...
16	21	206	819, 832	207	333	...	828, 829
17	21	223	747	...	236	...	822, 826
21	32	...	...	...	...	...	... ...
21	32	402	402, 591	...	407	...	630, 640
21	32	93	97, 399	...	98	...	405 ...
21	33, 704	308	365, 704	...	322	...	825, 826
21	33	462	...	...	...	462	... ...
21	33	81	96, 121	81	86	...	853, 855
25	35	...	...	...	...	...	... ...
27	39	562	...	614	925	...	... ...
27	39	629	...	...	...	629	... ...
33	39	41	95	...	41	...	100, 102
36	40	196	197	...	198	...	405 ...
36	40	193	197, 206	...	247	...	... ...
36	40	76	76	...	76	...	831 851
40	47	211	237	237	...	...	... ...
40	47	513	520	...	520	...	... ...
45	48	52	...	...	54	913	... ...
46	48	76	...	...	76	...	... ...
51	53	...	...	...	...	...	... ...
51	53	...	...	...	...	...	... ...
54	55	56	...	...	59	...	72 ...
56	58	...	...	...	58	...	144, 145
56	58	73	75	...	75	551	... ...
59	61	105	105	...	107	...	... ...
59	61	243	243	...	252	...	... ...
60	61	93	683	...	98	...	... ...
61	66	...	...	...	...	...	... ...
61	66	351	795	...	363	...	830, 851
62	66	131	...	...	159	...	... ...
62	66	...	...	...	...	...	... ...
64	66	123	...	...	...	123	... ...
65	66	...	...	...	...	...	... ...
66	71	75	75	...	75	...	... ...
69	71	358	358	358	412	...	936, 937
69	71	108	...	485	108	...	... ...
71	74	132	...	...	132	...	423, 430
71	74	169	170	...	179	379	... ...
82	84	...	...	...	...	...	... ...
87	91	212	...	...	238	487	... ...
87	92	104	104	...	107	...	144, 145
87	92	539	...	...	559	...	770, 775
88	92	98	98	...	99	...	261, 264
88	92, 759	219, 288	294, 749	221	295	...	835, 851
90	92	111	287	118, 291	287	...	... ...

BILLS OF THE SENATE.

Number.	AUTHOR AND TITLE.
51	Mr. Sherrick—To authorize the council of Canton to appoint a board of trustees
52	Mr. Owens—To repeal an act relating to the education of children
53	Mr. Lord—To provide for cleaning the streets of Cincinnati
54	Mr. Wilson—To amend an act relating to guardians
55	Mr. Forrest—To better regulate sales on execution
56	Mr. Sabine—To authorize the school board of Paris Tp., Union Co., to borrow money
57	Mr. Saltzgaber—To change the time of holding court in the Van Wert District
58	Mr. Wagener—To amend an act relating to townships
59	Mr. Forrest—To amend the criminal code as it relates to the liquor traffic
60	Mr. Forrest—To chapt. 16 of the criminal code
61	Mr. Armstrong—To amend the civil code
62	Mr. Beebe—To provide a book of omissions for County Recorders
63	Mr. Carson—To authorize the Board of Education of Ada, Hardin Co., to issue bonds
64	Mr. Howland—To amend an act relating to guardians
65	Mr. Saltzgaber—To drain certain lands in Hardin Co
66	Mr. Curtiss—To amend the civil code
67	Mr. Beebe—Relating to legal advertising
68	Mr. Armstrong—To index pending suits
69	Mr. Armstrong—Relating to the Board of Public Works in Cincinnati
70	Mr. Dungan—To punish certain offenses
71	Mr. Wilson—Relating to sale of mortgaged personal property
72	Mr. Richards—To reissue charters of incorporation
73	Mr. Steedman—To provide a Board of Directors for certain Homes of Refuge
74	Mr. Jackson of Clinton—To amend an act relating to roads
75	Mr. Saltzgaber—For the relief of James Webster
76	Mr. Saltzgaber—To amend an act relating to peddlers
77	Mr. Tyler—To provide cheap school books
78	Mr. Saltzgaber—To authorize the council of Van Wert to issue bonds
79	Mr. Owens—Relating to land titles
80	Mr. Curtiss—To authorize council of Chagrin Falls to levy a tax
81	Mr. Johnston—Relating to unclaimed dividends
82	Mr. Lord—Relating to a State cabinet of archæology
83	Mr. Johnston—To amend an act relating to incorporations
84	Mr. Lord—To prevent nuisances
85	Mr. Seitz—To amend an act relating to elections
86	Mr. Forrest—To amend an act relating to insurance companies
87	Mr. Forrest—To establish an appellate court in Cincinnati
88	Mr. Dungan—Relating to an extra term of court in Jackson county
89	Mr. Steedman—To create a Board of Public Works in Toledo
90	Mr. Steedman—To authorize the sale of a railroad by Toledo
91	Mr. Carlisle—To create a school district in Rush Creek Tp., Fairfield Co.
92	Mr. Saltzgaber—To abolish coroners' juries
93	Mr. Williams—To pay bounty to George Drake
94	Mr. Carlisle—To reorganize the Imbecile Asylum
95	Mr. Richards—To build a hall in Hudson Tp., Summit Co
96	Mr. Wagener—To amend an act relating to railroads
97	Mr. Marsh—To amend an act relating to township trustees
98	Mr. Forrest—To provide a fourth judge in Hamilton Co
99	Mr. Carlisle—To amend the interest law

BILLS OF THE SENATE.—Continued.

Introduced.	Referred.	Reported.	Amended.	On table.	Passed Senate.	Indefinitely postponed and lost.	Enrolled and signed.
92	96	263	...	489	263	...	... ...
92	96	...	...	...	...	...	... ...
92	96	349	349	...	362	...	549, 550
92	96	244	244	...	255	682	... ...
93	96	214	214	214	376	...	... ...
93	96	184	184	...	185	...	423, 430
93	96	125	514	...	126	...	517 ...
93	96	109	109, 117	...	118	...	... ...
94	96141	185	186, 279	187, 297	...	...	... ...
94	96	269	...	...	...	285	... ...
95	96	125	128	...	...	686	... ...
98	106	...	...	...	...	...	... ...
98	106	114	114	...	124	...	260, 264
103	106	125	125	...	129	...	423, 434
103	106, 203	183, 356	183, 356	...	400	...	... ...
107	108	...	...	...	...	...	... ...
107	108	...	...	...	...	...	... ...
107	108	213	517, 529	517	240	...	541, 549
126	128	158	...	...	168	...	210, 211
126	128	320	...	...	320	...	664, 670
126	128	187	...	...	...	187	... ...
129	137	223	223	...	235	...	423, 430
129	137	228	229	...	229	...	... ...
129	137	261	...	...	261	...	371, 372
140	142	212	212	...	212	...	371, 372
142	143	...	...	...	...	...	... ...
147	165	600	...	...	...	...	... ...
149	166	...	...	...	...	...	... ...
156	166	212	...	212	...	...	... ...
156	166	...	...	...	...	...	... ...
156	166	213	213	...	242	...	... ...
169	176	218	...	235	...	...	... ...
174	177	219, 234	529	...	234	228	630, 640
176	177	194	...	...	235	...	... ...
177	179	451	840	...	454	...	935, 937
...	...	901	928	...	...	...	... ...
183	203	...	...	...	...	...	... ...
183	203	211	...	...	211	...	424, 436
192	210	241	249	...	...	250, 252	... ...
192	210	400	501, 606	...	407	...	615, 617
210	215	354	...	...	403	676	... ...
210	215	432	926	...	447	...	936, 937
210	216	282	...	...	282	...	436, 440
212	216, 254	242, 788	257, 295, 574	507	285	...	910, 913
217	224	310	311	...	325	...	396, 397
224	224	269	...	299	...	286	... ...
242	246	330	330	...	339	...	630, 640
242	246	...	...	...	...	...	... ...
256	267	367	...	...	...	...	... ...

BILLS OF THE SENATE.

Number.	AUTHOR AND TITLE.
100	Mr. Steedman—To create additional judgeship in the Toledo District.....
101	Mr. Forrest—Relating to State claims.....
102	Mr. Forrest—To reorganize the Board of Infirmary Directors of Cincinnati
103	Mr. Howland—To authorize Ashtabula to levy taxes for harbor purposes..
104	Mr. Steedman—To amend an act relating to incorporated companies.....
105	Mr. Forrest—To amend an act creating a Board of Control in Cincinnati..
106	Mr. Forrest—To amend the civil code.....
107	Mr. Marsh—To amend an act to protect the lives of railroad passengers...
108	Mr. Lord—To authorize the Board of Education of South Bend to issue bonds .....
109	Mr. Armstrong—Relating to the Clough creek turnpike.....
110	Mr. Jackson of Perry—To amend an act relating to divorces.....
111	Mr. Beer—For relief of John H. Depler.....
112	Mr. Johnston—To authorize the transfer of funds in Mahoning Co.....
113	Mr. Grove—To amend an act relating to animals running at large.....
114	Mr. Saltzgaber—To amend an act relating to Notaries Public.....
115	Mr. Forrest—To codify the laws relating to civil procedure.....
116	Mr. Wilson—To amend an act relating to insurance companies.....
117	Mr. Steedman—To authorize the Commissioners of Lucas Co. to borrow money .....
118	Mr. Steedman—To amend the municipal code.....
119	Mr. Kimmel—To amend an act relating to an enumeration of the male inhabitants of the State..... .....
120	Mr. Tyler—For the relief of W. J. Jacobs.....
121	Mr. Sherrick—To furnish books for county officers.....
122	Mr. Sherrick—Relating to county surveyors.....
123	Mr. Sherrick—Relating to probate judges..... .....
124	Mr. Tyler—Relating to the commissioners of Brown Co.....
125	Mr. Parker—To authorize the council of Norwalk to levy an additional tax..... .....
126	Mr. Lord—Relating to the Cincinnati Southern railroad.....
127	Mr. Lord—To provide for the administration of property in certain cases..
128	Mr. Curtiss—To amend an act relating to taxation.....
129	Mr. Fisher—To authorize the council of Coshocton to transfer funds.....
130	Mr. Irvine—To facilitate the administration of justice.....
131	Mr. Seitz—To abolish the Rockaway school district, Seneca Co.....
132	Mr. Wagener—To authorize the commissioners of Belmont Co. to levy a special tax.....
133	Mr. Parker—To amend an act requiring compensation for causing death..
134	Mr. Sherrick—To amend an act for the relief of the poor.....
135	Mr. Steedman—To create a board of control in Toledo.....
136	Mr. Richards—For the relief of Richard Cochran.....
137	Mr. Lord—To regulate the sale of mineral oils.....
138	Mr. Forrest—For the better protection of lives and property from accident by steam.....
139	Mr. Sabine—Relating to the liquor traffic.....
140	Mr. Forrest—Relating to the Cincinnati Southern railroad.....
141	Mr. Jackson of Perry—To change the Common Pleas Districts of the State
142	Mr. Howland—To amend an act relating to contractors.....
143	Mr. Sabine—Relating to ditches.....
144	Mr. Stokes—To amend the act regulating incorporated companies.....
145	Mr. Richards—To divide Perry Tp., Columbiana county, into two election precincts .....
146	Mr. Richards—To amend an act to prevent cruelty to children.....

BILLS OF THE SENATE.—CONTINUED.

Introduced.	Referred.	Reported.	Amended.	On table.	Passed Senate.	Indefinitely postponed and lost.	Enrolled and signed.
259	267	692	856	...	779	...	876 ...
262	267	329	819	...	335	...	827, 830
262	267	327	327	883	335	...	... ...
262	267	329	358	335	359	...	612, 616
262	267	...	...	...	...	...	... ...
262	267	...	...	...	...	...	... ...
262	267	...	...	...	...	...	... ...
281	292	587	...	...	...	584	... ...
287	292	628	628	679	667	...	... ...
295	303	425	...	...	438	...	612, 616
298	303	307	...	...	321	...	... ...
300	303	306	306	...	318	...	396, 397
303	315	331	...	...	338	...	541, 549
303	315	...	...	...	...	...	... ...
310	315	626	626	...	667	...	... ...
310	315	553, 786	605, 773	618	619	...	925, 927
310	316	451, 455	...	...	455	...	... ...
316	317	462	467	...	467	...	830, 843
316	317	...	...	...	...	...	... ...
317	318	...	...	...	...	...	... ...
326	344	355	353, 370	...	373	...	424, 434
326	344	385	386, 403	411	...	404	... ...
326	344	...	...	...	...	...	... ...
326	345	...	...	...	...	...	... ...
326	345	410	40, 604	...	421	...	612, 615
326	345	408	595	...	420	...	630, 640
326	345, 365	530	553, 570	...	572	558	626, 627
326	345	...	...	...	395	...	770, 775
327	345	387	397	...	397	...	... ...
327	345	460	...	...	467	...	613, 616
331	345	368	...	...	...	393	... ...
331	345	448	...	...	453	582	... ...
343	345	359	...	...	376	...	630, 640
148	361, 389	432	...	...	...	...	... ...
148	361	409	409	448	...	...	... ...
148	361	471	476	597	...	...	... ...
148	361	476	...	705	486	...	739 ...
148	362	630	908, 654	635, 654	662	...	933, 934
148	362	731	790	753	...	...	... ...
348	362	754	754	...	...	...	... ...
348	362, 365	530	...	558	...	...	... ...
349	369	457	459, 812	...	502	...	825, 827
350	369	428	428, 441, 761	...	441	...	831, 843
350	391	476	476, 508	...	508	...	... ...
357	369	...	...	...	...	...	... ...
358	369	...	...	...	394	...	5 41 550
376	391	...	...	...	...	...	... ...

BILLS OF THE SENATE.

Number.	AUTHOR AND TITLE.
147	Mr. Beer—Relating to county surveyors
148	Mr. Grove—Relating to offenses against chastity
149	Mr. Armstrong—Relating to the Cincinnati hospital
150	Mr. Armstrong—To amend an act relating to the Commercial hospital of Cincinnati
151	Mr. Carson—To restore a school district in Jackson Tp., Shelby Co
152	Mr. Curtiss—To amend an act relating to guardians
153	Mr. Forrest—To permit Benevolent associations to invest surplus funds
154	Mr. Grove—To amend Sec. 92 of the justices code
155	Mr. Tyler—To protect the lives of railroad passengers
156	Mr. Marsh—Relating to the Cincinnati observatory
157	Mr. Sabine—To improve roads in Marion county
158	Mr. Steedman—To authorize an assistant Prosecuting Attorney in Lucas county
159	Mr. Fisher—To regulate the issue of pardons
160	Mr. Carson—To regulate charges on sleeping cars
161	Mr. Lord—To amend an act relating to the trustees of the sinking fund of Cincinnati
162	Mr. Lord—To amend an act relating to the improvement of Mill creek
163	Mr. Armstrong—To provide for three additional judges in Cincinnati
164	Mr. Johnston—To amend the municipal code
165	Mr. Beer—Relating to ditches
166	Mr. Sherrick—To amend the Criminal code
167	Mr. Sherrick—To incorporate telephone companies
168	Mr. Johnston—Relating to county commissioners
169	Mr. Saltzgaber—To authorize the city of Lima to levy a tax
170	Mr. Tyler—Relating to boards of education
171	Mr. Richards—To amend an act to create incorporated companies
172	Mr. Carlisle—To authorize the Commissioners of Athens county to build a court house
173	Mr. Johnston—To amend an act relating to the accounts of trustees
174	Mr. Grove—To enable the Commissioners of Montgomery county to buy roads
175	Mr. Fisher—To regulate loans to agricultural societies
176	Mr. Marsh—To regulate railroad companies
177	Mr. Irvine—To regulate the sale of mineral oils
178	Mr. Curtiss—To authorize the school district of Chagrin Falls to levy an extra tax
179	Mr. Saltzgober—For the relief of Davis Johnson
180	Mr. Joy—To abolish the office of railroad commissioner
181	Mr. Lord—Relating to Cincinnati University
182	Mr. Lord—To lease the Public Works
183	Mr. Richards—Relating to county solicitors
184	Mr. Parker—To amend the Criminal code
185	Mr. Carlisle—To regulate the fees of county surveyors
186	Mr. Tyler—For the relief of W. J. Jacobs
187	Mr. Lord—To authorize Cincinnati to issue bonds for avenue purposes
188	Mr. Dungan—To redeem real estate sold at judicial sale
189	Mr. Richards—To amend the municipal code
190	Mr. Johnston—To amend the municipal code
191	Mr. Forrest—To authorize the village of St. Bernard to build a town hall
192	Mr. Howland—To amend an act relating to the poor

BILLS OF THE SENATE.—Continued.

Introduced	Referred.	Reported.	Amended.	On table.	Passed Senate.	Indefinitely postponed and lost.	Enrolled and signed.
376	391	450	...	...	...	...	... ...
376	391, 783	391, 809	391, 439	763	439	...	825, 826
376	391	522	522, 782	...	542	...	821, 823
376	392	309, 854	850, 515	...	515	...	821, 823, 885
415	419	427	...	...	440	...	541, 550
416	419	...	...	...	...	...	... ...
416	419	...	...	...	468	...	... ...
418	419	...	...	...	...	...	... ...
418	420	575	575	597	...	...	... ...
420	426	487	...	...	488	488	770, 772
423	427	477	477	...	487	798	... ...
425	427	684	...	...	740	...	853, 855
427	434	684, 698	...	...	699	...	... ...
432	435	...	...	...	...	...	... ...
449	452	560	561	...	566	...	... ...
449	452	500	...	...	567	...	... ...
459	466	509	831	559	810	...	853, 855
459	466	...	...	...	...	...	... ...
459	466	755	...	...	765	...	853, 856
490	507	566	...	...	...	597	... ...
492	508	587	...	...	...	598	... ...
522	527	825	825	854	...	826	... ...
536	542	656	...	...	669	...	770, 772
559	562	...	...	...	...	...	730, 739
578	587	602	706	705	602	...	730, 739
580	580	598	598, 722	629	599	...	... ...
580	587	690	...	...	744	...	... ...
580	587	621, 808	622, 794	...	624	...	825, 827
604	612	662	...	...	669	883	... ...
620	623	731	...	765	...	...	... ...
625	637	...	...	...	...	...	... ...
637	647	652	...	...	668	...	770, 775
641	647	697	697	...	744	...	919, 920
684	697	719	719	765	...	811	... ...
685	697	706	...	...	708, 787	...	789, 794
685	697	803	861, 863	...	...	...	... ...
685	697	757	828	815	863	...	... ...
702	726	...	...	...	...	...	... ...
702	726	898	...	...	905	...	... ...
718	726	738	...	...	754	...	910, 913
732	740	...	...	...	...	...	... ...
780	799	801, 802	...	...	818	...	... ...
824	824	888	...	...	888	...	936, 937
824	825	887	...	...	887	...	919, 920
827	831	...	...	...	...	...	... ...
889	896	914	...	...	914	...	... ...

BILLS OF THE HOUSE OF REPRESENTATIVES.

Number.	AUTHOR AND TITLE.
1	Mr. Norton—To reorganize the Penitentiary
3	Mr. Dodds—To establish a board of fire commissioners in Cincinnati
4	Mr. Bohl—To amend the civil code
5	Mr. Hart—To repeal the registration act
6	Mr. Poe—To limit the compensation of custom officers
7	Mr. Foster—Relating to juries
8	Mr. Poe—To amend the militia law
11	Mr. Wright—Relating to the police commissioners of Cincinnati
12	Mr. Bohl—To amend the common school act
13	Mr. Johnson—To change the surname of certain persons
14	Mr. Haley—To amend the civil code
18	Mr. Booth—To create an additional judge in the fifth judicial district
19	Mr. Leggett—To change the name of Cannonsburg
21	Mr. Reed, of Ross—To amend an act relating to contractors
22	Mr. Dalzell—For the relief of Union soldiers
24	Mr. Wasson—To authorize the council of Gallipolis to purchase a fire engine
25	Mr. Washburn—To amend an act relating to Morgan raid claims
27	Mr. Bohl—To amend an act relating to Beverly college
28	Mr. Estill—To authorize the village of Millersburg to transfer funds
32	Mr. Oglevee—To amend the civil code
33	Mr. Clough—To authorize commissioners of Butler Co. to borrow money
34	Mr. Clough—Authorizing council of Middletown to issue bonds
35	Mr. Edwards—To amend an act relating to children's homes
36	Mr. Creamer—To amend the game law
37	Mr. Wright—To punish the offense of advertising for divorces
39	Mr. Wasson—To relieve certain sureties
41	Mr. Booth—The municipal code
42	Mr. Covert—Relating to public libraries
44	Mr. Sextro—To reorganize Longview asylum
45	Mr. Cowgill—To authorize the council of Urbana to contract for water works
46	Mr. Achauer—To amend the common school act
48	Mr. Herrick—To amend an act relating to roads
49	Mr. Ellis—To authorize the village of Port Clinton to transfer funds
50	Mr. Kellogg—To amend the common school act
51	Mr. Clough—To authorize the school board of Union township, Butler Co., to issue bonds
52	Mr. Clough—To supply water to certain cities
54	Mr. Edwards—To erect a public building in Green Tp., Trumbull Co
58	Mr. Washburn—To authorize the council of Waverly to borrow money
59	Mr. Parker—To repeal an act relating to the Brown Co. commissioners
63	Mr. Hitchcock—For the relief of Newton Austin
65	Mr. Jessup—To amend an act relating to the poor
66	Mr. Bloom—To authorize transfer of funds
67	Mr. Boyce—To reduce the fees of county officers
69	Mr. Van Cleaf—To reorganize the insane asylums
71	Mr. Sullivan, of Miami—To amend an act relating to free turnpikes
72	Mr. Washburn—To reorganize the blind asylum
73	Mr. Crosson—To amend the probate code
74	Mr. Fenton—To create a special school district in Dover Tp., Fulton Co.
75	Mr. Palmer—To create a sub school district in Olmstead Tp., Cuyahoga Co.,
76	Mr. Foster—Relating to juries
78	Mr. Johnson—To create a special school district in Tuscarawas Co

BILLS OF THE HOUSE OF REPRESENTATIVES.—Continued.

Introduced.	Referred.	Reported.	Amended.	On table.	Passed Senate.	Indefinitely postponed and lost.	Enrolled and signed.
113	117	205, 221	152, 160	152	162	...	230, 234
116	117	130 ...	157 ...	...	157	...	171 ...
78	84	130 ...	... ...	206	...	...	... ...
209	215	217, 225	... ...	...	226	...	231 ...
316	318	488, 808	488 ...	488, 848	...	...	... ...
31	40	109 ...	... ...	...	...	109	... ...
51	33	60 ...	... ...	...	60	...	79, 80
336	344	357 ...	374 ...	...	...	376, 394	... ...
69	71	185 ...	204 ...	215	346	204, 214	372, 373
178	203	258 ...	... ...	...	295	...	300, 304
200	203	270 ...	416 ...	...	297	...	... ...
102	106	173 ...	173 ...	...	180	...	191, 199
69	71	79 ...	... ...	...	79	...	99, 103
230	245	331 ...	339 ...	565	340	337	356, 357
54	59	175 ...	528 ...	193	528	180	... ...
51	53	81 ...	... ...	81	85	...	99, 103
795	814	822 ...	... ...	...	...	861	875 ...
72	94	81, 109	131, 243	109, 131	243	...	263, 264
69	71	78 ...	... ...	...	78	...	99, 103
113	117	388 ...	... ...	399	...	...	... ...
109	116	144 ...	145 ...	...	145	...	170 171
72	74	103 ...	... ...	...	107	...	116, 124
89	92	330 ...	338 ...	...	336	...	353, 354
303	515	663 ...	... ...	664	...	...	... ...
120	124	288 ...	297 ...	...	297	...	333, 334
445	452	470 ...	... ...	...	486	...	541, 550
614	623, 922	732, 796	766, 792	738	769	...	879, 900, 926, 927
143	148	175 ...	... ...	...	181	...	199, 200
109	116	135, 433	190, 456	...	458	...	518, 548, 551, 905 188, 191
156	166	183 ...	... ...	...	184	...	875 ...
623	637	732 ...	796	...	748	...	
173	177	243 ...	... ...	...	252	...	274, 275
113	117	131 ...	... ...	...	139	...	288, 304
173	177	388 ...	... ...	...	399	...	427, 437
115	117	132 ...	... ...	...	172	...	199 ...
222	224	299 ...	299 ...	...	...	304	... ...
142	148	155 ...	... ...	...	156	...	170, 171
99	106	158 ...	... ...	...	172	...	182 ...
127	128	157 ...	... ...	...	168	...	182 ...
99	106	165 ...	... ...	...	173	...	199, 200
150	155	185 ...	... ...	...	205	...	230, 236
636	637	688 ...	... ...	...	742	...	758, 762
365	370	513 ...	... ...	...	520	...	534, 535
209	215	379 ...	380 ...	...	384	...	421, 422
138	142	244 ...	... ...	...	253	...	274, 275
385	392	529, 542	680, 788	543	680, 807	...	827 ...
116	117	144 ...	144 ...	...	144	...	171 ...
302	315	388 ...	... ...	...	399	...	435, 444
178	203	276 ...	... ...	...	276	...	280 ...
658	666	... ...	... ...	...	...	...	... ...
230	245	923 ...	... ...	565	...	329	... ...

BILLS OF THE HOUSE OF REPRESENTATIVES.

Number.	AUTHOR AND TITLE.
79	Mr. Van Cleaf—To amend an act relative to townships
81	Mr. O'Connor—To reorganize the Soldiers' Orphans' Home
82	Mr. Baker—Relating to the Patrons of Husbandry
84	Mr. Crossley—To protect certain burial grounds
85	Mr. Washburn—To regulate the payment of costs in criminal cases
86	Mr. Baker—To authorize the commissioners of Allen Co. to levy a tax
89	Mr. Norton—To authorize incorporated villages to purchase fire engines
93	Mr. Danford—Relating to Wayne Tp., Belmont Co
95	Mr. Parker—Relating to the commissioners of Brown Co
96	Mr. Williams—To reorganize the Deaf and Dumb Asylum
97	Mr. Foster—To amend an act relating to roads
99	Mr. Wasson—To prevent fraud in the sale of fertilizers
102	Mr. Cowgill—To ascertain the number of soldiers' unmarked graves
103	Mr. Swaim—To reorganize the Ohio Agricultural College
104	Mr. Palmer—To relieve the Berea Board of Education, Cuyahoga Co
105	Mr. Worley—To amend the common school law
106	Mr. Levering—To protect wool growers from dogs
108	Mr. Alexander—To authorize certain institutions to receive donations
109	Mr. Monahan—To destroy hawks, &c
110	Mr. Stubbs—To add territory to West Elkton school district
111	Mr. Covert—To provide courts of conciliation
112	Mr. Klimper—To amend an act creating a board of public works in Cincinnati
113	Mr. Dodds—Relating to asylums for aged women
114	Mr. Parker—To create a school district in Lewis township, Brown Co
116	Mr. Cowgill—To authorize the village of Mechanicsburg to levy a tax
117	Mr. Bloom—To build a town hall in Troy township, Richland Co
118	Mr. Klimper—To amend an act creating a board of public works in Cincinnati
119	Mr. Swaim—The election code
120	Mr. Van Cleaf—Making an appropriation to pay for certain publications
123	Mr. O'Connor—To redistrict the city of Dayton
127	Making partial appropriations
129	Mr. Reed, of Ross—To amend an act relating to toll roads
130	Mr. Bohl—Relating to insurance companies
131	Mr. Seifert—Relating to Lincoln's monument
135	Mr. Hardy, of Defiance—To transfer funds in Defiance county
136	Mr. Groschner—To divide Pleasant township, Henry county, into election precincts
137	Mr. Leggett—To amend the civil code
140	Mr. Maury—To amend an act relating to offenses against public policy
141	Mr. Guthery—To authorize the village of Prospect to issue bonds
142	Mr. Ellis—To authorize a school district in Ottawa county to issue bonds
143	Mr. Hayman—To authorize the board of education of Portsmouth to issue bonds
145	Mr. Dempcy—To prevent the spread of cattle disease
146	Mr. Quinby—To authorize the village of Sabina to issue bonds
148	Mr. Hostetter—Relating to roads
151	Mr. McCoy, of Lawrence—To amend an act exempting homesteads from sale
154	Mr. Herrick—To authorize the commissioners of Lorain county to invest surplus funds
155	Mr. Clough To authorize the village of Middletown to contract for gas
157	Mr. Foster—To prevent fraud in the sale of butter

BILLS OF THE HOUSE OF REPRESENTATIVES.—Continued.

Introduced.	Referred.	Reported.	Amended.	On table.	Passed Senate.	Indefinitely postponed and lost.	Enrolled and signed.
229	235	331 ...	... ...	...	338	...	353, 354
410	411	567, 790	567, 790	...	791	...	896 ...
154	155	263 ...	... ...	...	285	...	300, 301
879	901	923 ...	... ...	...	923	...	930, 933
241	246	305 ...	305 ...	...	318	...	342, 364
138	142	... ...	... ...	...	...	...	... ...
215	224	355 ...	355 ...	...	374	...	395, 397
134	137	307 ...	... ...	...	324	...	340, 342
657	665	671 ...	... ...	674	678	...	759, 762
362	370	491, 726	491, 671	...	492	...	831, 839
410	411	470 ...	... ...	...	486	...	541, 550
431	434	462 ...	468 ...	...	468	...	502, 504
135	137	175 ...	175, 180	...	181	...	199, 200
401	403	600 ...	602, 649	602	650	...	699 ...
145	148	174 ...	180 ...	...	180	...	199, 200
517	527	731 ...	... ...	...	801	...	833, 843
146	361, 435	424, 460	435, 460	460	...	...	... ...
233	246	269 ...	285 ...	...	285	...	300, 301
248	254	353 ...	364 ...	389	...	...	... ...
178	203	276 ...	... ...	...	276	...	280 ...
720	740	... ...	... ...	...	...	...	... ..
589	597	890 ...	... ...	...	890	...	... ...
152	155	185 ...	... ...	...	206	...	230, 235
120	124	141 ...	... ...	141	146	...	170, 171
202	203	262 ...	262 ...	...	263	...	274, 275
242	246	259 ...	... ...	...	282	...	300, 301
115	117	... ...	... ...	...	...	...	... ...
820	820	... ...	... ...	...	...	...	... ...
138	142	150 ...	... ...	...	150	...	164, 166
133	137	158 ...	... ...	...	169	...	188, 189
110	116	148 ...	148 ...	...	148	...	170, 171
365	370	425 ...	... ...	...	439	...	478, 481
222	224	417 ...	417 ...	418	468	...	502, 504
829	886	... ...	... ...	...	...	...	... ...
142	147	173 ...	... ...	...	174	...	199, 200
302	...	... ...	... ...	...	302	...	333, 334
277	292	... ...	... ...	...	...	...	... ...
230	345	327 ...	414, 523	...	395	...	556, 560
150	155	183 ...	... ...	...	204	...	230, 235
277	292	450 ...	... ...	...	454	...	471, 479
275	278	300 ...	... ...	...	309	...	333, 334
245	254	431 ...	443, 815	815	444, 816	...	876 ...
133	157	158 ...	... ...	...	169	...	188, 189
109	215	227 ...	... ...	...	228	...	266 ...
200	203	210 ...	... ...	...	287	...	300, 301
173	177	216 ...	... ...	...	225	...	266 ...
465	482, 526	511 ...	... ...	...	...	511	... ...
596	611	627 ...	628 ...	647	898	...	931, 936

BILLS OF THE HOUSE OF REPRESENTATIVES.

Number.	AUTHOR AND TITLE.
158	Mr. Crossley—To amend an act relating to roads
159	Mr. Rimer—To create a special school district in Van Wert county
162	Mr. Klimper—To amend an act relating to the compensation of certain officers
163	Mr. Stubbs—To vacate abandoned roads
164	Mr. Dow—Relating to incorporated companies
165	Mr. White—Relating to incorporated companies
166	Mr. Seifert—To divide Greenfield township, Fairfield county, into two election precincts
167	Mr. Worley—Relating to Paris school district, Stark county
168	Mr. Bohl—Relating to boarding houses
169	Mr. Wales—To relieve the sureties of Chas. E. Spence
171	Mr. McCoy, of Lawrence—To levy an extra poor tax in certain counties
174	Mr. Johnson—To build certain bridges in Tuscarawas county
178	Mr. Dalzell—To create a commissioner to report on salaries
179	Mr. Hitchcock—To sell certain lands in Geauga county
181	Mr. Dunham—To build a ditch in the counties of Seneca and Wood
182	Mr. Palmer—To authorize the village of West Cleveland to issue bonds
183	Mr. Reed, of Ross—To amend an act relating to taxation
184	Mr. Klimper—To amend an act relating to taxation
185	Mr. Herrick—To authorize Wellington township, Lorain county, to purchase a site for town hall
189	Mr. Reed, of Ross—Relating to roads in Ross county
191	Mr. Sullivan, of Hamilton—To authorize the commissioners of Hamilton county to make certain repairs
193	Mr. Sullivan, of Hamilton—To transfer funds in Anderson township, Hamilton county
194	Mr. Alexander—Making partial appropriations for 1878
195	Mr. Marsh—To amend an act relating to courts of justice
196	Mr. White—To change the surname of certain persons
199	Mr. Jessup—Relating to the commissioners of Hamilton county
203	Mr. Norton—Authorizing the village of Green Springs to issue bonds
205	Mr. Hayman—To establish a uniform standard of weights
206	Mr. Foster—Relating to a tax for libraries
207	Mr. Foster—To amend the criminal code
208	Mr. White—To build a bridge in Franklin county
213	Mr. Hayman—Relating to assignments in trust
215	Mr. Dawson—To authorize the village of Leesburg to issue bonds
217	Mr. Parker—To relieve Geo. W. Woodward
218	Mr. Booth—To pay for building certain levees
226	Mr. Carpenter—To sell land in Pomeroy
227	Mr. Bloom—To authorize the city of Mansfield to issue bonds
228	Mr. Loder—To relieve certain contractors
231	Mr. Wolf—To create a special school district in Hocking county
234	Mr. Johnson—To repeal an act relating to the trustees of Fairfield township, Tuscarawas county
238	Mr. Achauer—To change the name of a church in Zanesville
240	Mr. Clough—To amend the municipal code
242	Mr. Hitchcock—To authorize Bainbridge township, Geauga county, to levy a tax
245	Mr. Sextro—To authorize Hamilton county commissioners to issue bonds
248	Mr. Herrick—To transfer funds in Ridgeville township, Lorain county
252	Mr. Poe—To amend the civil code
253	Mr. Greene—To amend the criminal code

BILLS OF THE HOUSE OF REPRESENTATIVES—CONTINUED..

Introduced.	Referred.	Reported.	Amended.	On table.	Passed Senate.	Indefinitely postponed and lost.	Enrolled and signed.
746	756	804	...	...	815	...	838, 843
367	376	428	...	...	440	...	479, 481
222	224	308	309	...	321	...	334 ...
272	278	425	...	...	438	...	470, 479
346	361	432	447	...	448	...	471, 479
572	577	783	...	...	836	...	876 ...
302	215	348	...	...	349	...	372, 373
347	361	450	...	...	453	...	471, 479
150	155	194	...	206	...	...	... ...
444	452	477	...	...	487	...	541, 550
173	177	194	...	...	194	...	231 ...
222	224	259	...	...	264	...	274, 275
543	558	...	...	...	...	...	... ...
812	824	818	...	...	859	...	885 ...
341	344	402	...	561	569	...	592, 598
415	419	450	...	...	456	...	471, 479
201	203	244	255	...	256	...	274, 275
594	611	755	...	...	...	755	... ...
223	224	259	...	...	264	...	274, 275
505	515	527	528	...	528	...	730, 739
275	278	425	...	...	453	...	502, 504
275	278	307	...	...	324	...	340, 342
164, 182	182, 226	232, 273	204, 227	204	227, 233	...	280 ...
360	369	510	...	510	...	...	... ...
423	427	461	467	...	467	...	502 504
305	315	332	...	...	339	...	353, 354
266	271	329	...	...	338	...	342, 343
316	318	353	...	...	...	366	... ...
445	452	470	...	...	470	...	534, 535
229	235	311	311	...	311	...	340, 342
469	482	568	...	...	579	...	606, 613
635	636	686	...	...	745	686	771, 772
347	361	599	599	...	616	...	645, 646
389	392	396	...	...	396	...	435, 444
516	526	584	...	...	584	...	626 ...
391	403	408	...	...	420	...	427, 437
411	411	450	...	...	453	...	502, 504
245	254	306	...	...	309	...	310 ...
328	335	354	...	...	355	...	372, 373
224	235	258	...	...	260	...	274 ...
272	278	331	...	...	336	...	353, 354
347	361	431	...	...	447	...	478, 481
227	292	306	...	...	318	...	340, 343
478, 328	483, 335	354	...	...	355	...	372, 373
... ...	...	...	...	...	...	...	... ...
360	369	...	...	...	...	...	... ...
350	362	436	...	...	436	...	465 469

BILLS OF THE HOUSE OF REPRESENTATIVES.

Number.	AUTHOR AND TITLE.
256	Mr. Sawyer—To authorize the commissioners of Auglaize county to borrow money
257	Mr. McCoy, of Wayne—To authorize the village of Marshallville to borrow money
260	Mr. McCoy, Wayne—To build a court house
261	Mr. Douglass—Relating to a town hall in Vermillion, Erie county
262	Mr. Sage—Relating to ditches
265	Mr. Williams—To divide Alliance precinct, Stark county, into two election precincts
266	Mr. Van Cleaf—Relating to private bankers
269	Mr. Harmon—To create a school district in Palmyra township, Portage county
270	Mr. Hendrick—To pay members of boards of equalization
271	Mr. Mackey—To create a school district in Springfield township, Mahoning county
272	Mr. Wright—To amend the municipal code
273	Mr. Estill—Relating to juries
276	Mr. Crosson—To enforce an act named
278	Mr. Booth—Relating to the common pleas court of Franklin county
280	Mr. Elliott—To retain a school district in Delaware county
282	Mr. Stubbs—Relating to hedge fences
283	Mr. Hume—To relieve Christian Kingseed
284	Mr. Luccock—To authorize a church in Coshocton county to sell land
285	Mr. Dempcy—Relating to incorporated companies
286	Mr. Wales—To authorize the village of Lebanon to sell bonds
287	Mr. Carter—To transfer funds in Edgerton, Williams county
288	Mr. Bull—To relieve Thornton P. Crowell
290	Mr. Achauer—To amend the municipal code
292	Mr. Hayman—To levy an extra tax in Scioto county
293	Mr. Levering—To amend the school act
294	Mr. Hume—To relieve D. V. Dingman and H. H. Sprague
296	Mr. Elliott—Relating to Thompson township, Delaware county
297	Mr. Crosson—Relating to a church in Neville, Clermont county
298	Mr. Reed, of Trumbull—Relating to the State boundary line
300	Mr. White—Relating to certain contract
301	Mr. Reed, of Trumbull—To amend an act relating to roads
302	Mr. Booth—To create a school district in Jackson township, Franklin county
303	Mr. Kellogg—To authorize South Toledo to issue bonds
304	Mr. Elliott—To authorize the trustees of Delaware township, Delaware county, to levy a tax
309	Mr. Herrick—To amend an act relating to town halls
310	Mr. Washburn—To change the valuation of certain real estate in Ross county
311	Mr. Palmer—To authorize Olmstead township, Cuyahoga county, to issue bonds
314	Mr. Poe—To build a town hall in Olmstead township, Cuyahoga county
317	Mr. Morrey—To relieve the village of McConnelsville
319	Mr. Greene—To amend the school law
321	Mr. Poe—Relating to market fund of city of Cleveland
322	Mr. Norton—Relating to roads
323	Mr. Worley—To amend the school law
329	Mr. Eylar—Relating to the commissioners of Adams county
335	Mr. Dodds—Relating to elections

BILLS OF THE HOUSE OF REPRESENTATIVES.—CONTINUED.

Introduced.	Referred.	Reported.	Amended.	On table.	Passed Senate.	Indefinitely postponed and lost.	Enrolled and signed.
133	246	...	...	...	246	...	254, 260
344	361	401	...	407	421	...	444 ...
333	333	335	...	...	335	...	337 ...
366	388	391	...	...	391	...	405 ...
344	361	401	...	...	420	...	454, 458
444	452	477	...	...	487	...	541, 550
684	697	...	...	...	...	...	... ...
302	315	387	...	...	308	...	427, 437
883	901	918	...	...	919	...	929, 936
410	419	429	...	...	441	...	465, 469
340	344	357	357	...	...	376	... ...
344	361	536	...	...	...	537	... ...
215	224	288	288	...	288	...	300, 304
431	435	509	...	...	518	...	532 ...
588	596	689	...	...	743	...	771 ...
359	362	449	455	...	456	...	541, 550
423	427	471	...	...	486	...	541, 550
367	379	525	...	...	527	...	549, 550
366	370	424	...	...	438	...	502, 504
415	419	450	...	...	456	...	471, 479
437	452	466	466	...	...	466	502, 504
183	292	310	310	...	324	...	337 ...
604	612	718	...	...	745	...	770, 771
481	483	510	...	...	519	...	530, 531
371	392	429	...	...	442	...	465, 469
363	370	409	...	...	421	...	435, 444
295	611	689	...	...	...	690	... ...
481	483	685	...	...	597	...	626 ...
445	452	686	...	...	699	...	730, 739
366	370	568	...	...	580	...	592, 598
867	370	424	...	...	435	...	465, 469
552	565	689	...	...	...	689	... ...
437	452	511	...	...	521	...	534, 535
516	526	560	...	...	566	...	578, 583
447	452	469	...	...	488	...	516, 517
594	611	652	...	...	...	652	... ...
389	392	409	...	...	421	...	478, 481
469	482	512	467	...	520	...	530, 531
423	427	461	...	...	467	...	502, 504
535	541	622	512	...	624	...	645, 647
415	419	511	...	...	512	...	526, 535
696	708	719	806	...	727	...	758, 760
748	756	806	...	...	...	838	... ...
589	597	622	...	...	624	...	663, 664
347	361	367	...	...	394	...	413, 415

BILLS OF THE HOUSE OF REPRESENTATIVES.

Number.	AUTHOR AND TITLE.
336	Mr. Wales—To transfer funds from Salem township, Warren county.....
337	Mr. Booth—To appropriate money to repair the Public Works.....
338	Mr. Foster—Relating to the Berea Agricultural Society.....
339	Mr. Johnson—To authorize trustees of Mill township, Tuscarawas county, to levy a tax.....
340	Mr. Levering—Relating to incorporated villages.....
347	Mr. Clough—To provide water for certain cities.....
349	Mr. McCoy, of Lawrence—To authorize the city of Ironton to levy extra tax.....
354	Mr. Dodds—To create a school district in Sycamore township, Hamilton county.....
355	Mr. Clough—To authorize the auditor of Butler county to pay a certain claim.....
356	Mr. Worley—To authorize the commissioners of Stark county to issue bonds.....
357	Mr. Foster—Relating to the investment of certain funds.....
358	Mr. Hardy, of Defiance—Relating to a bridge in Defiance county.....
360	Mr. Dempcy—Relating to Brecksville township, Cuyahoga county.....
363	Mr. Morrey—To authorize the trustees of Windsor township, Morgan county, to levy a tax.....
364	Mr. Greene—Relating to bonds of Xenia.....
365	Mr. Norton—To redistrict the State.....
366	Mr. Bohl—To divide little Muskingum precinct into two precincts.....
370	Mr. Loder—To amend the election law.....
372	Mr. Parker—For the relief of W. J. Jacobs.....
373	Mr. Carpenter—To reduce the pay of assessors.....
374	Mr. Mack—To create a sub joint district.....
377	Mr. Monahan—Relating to a Baptist church in Jackson county.....
378	Mr. Bull—To relieve John Martin.....
380	Mr. Loder—To create a school district in Delhi township, Hamilton county
381	Mr. Luccock—Relating to a school district in Jefferson township, Guernsey county.....
383	Mr. Reed, of Trumbull—For the relief of Milo McCombs.....
386	Mr. Quinby—To transfer funds of Richland township, Clinton county.....
388	Mr. Foster—To amend the municipal code.....
390	Mr. Swaim—To levy extra tax in Vinton county.....
391	Mr. Swaim—To levy an extra tax in Richland township, Vinton county..
392	Mr. Swaim—To make certain transfers permanent.....
396	Mr. Sage—Relating to ditches.....
399	Mr. Bull—To create a voting precinct in Richland county.....
400	Mr. Wright—To authorize Cincinnati to procure a temporary loan.....
402	Mr. Achauer—Relating to transfer of certain grounds in Muskingum Co..
403	Mr. Alexander—Making general appropriations for the year 1878, and first quarter of 1879.....
404	Mr. Poe—To fix compensation of certain officers.....
405	Mr. Danford—To pay for the capture of a horse thief.....
407	Mr. Clough—Relating to the board of public works and its powers.....
409	Mr. Norton—To relieve Peter Weikert.....
411	Mr. Jessup—To fix the duties of marshal.....
416	Mr. Alexander—To authorize the council of Bellaire to pay a debt.....
417	Mr. Sullivan, of Hamilton—To sell a tract of land in Spencer township...
419	Mr. Haley—To relieve Jas. D. Philbrick.....
420	Mr. Haley—Relating to a cemetery in Kenton.....
422	Mr. Sextro—To amend an act relating to the poor.....

BILLS OF THE HOUSE OF REPRESENTATIVES.—CONTINUED.

Introduced.	Referred.	Reported.	Amended.	On table.	Passed Senate.	Indefinitely postponed and lost.	Enrolled and signed.
382	587	599	616	....	616	....	663, 664
796	814	822	822	....	861	....	875....
481	483	585	...	....	597	....	626....
516	527	...	...	....	...	....	.....
503	515	529	...	....	579	....	593....
484	507	754	...	....	....	833	.....
524	527, 740	672	673	....	....	....	.....
589	597	689	...	757	785	743	819, 829
485	507	584	585	....	597	....	626....
478	459	461	467	....	467	....	476, 477
543	559	...	...	....	....	....	.....
485	507	600	...	....	617	....	645, 646
480	483, 652	703	483	....	745	....	772....
480	483	529	...	....	542	....	556, 560
485	507	621	...	....	621	....	660, 664
841	893	898	905	....	907	....	929, 932
478	483	510	...	....	519	....	531, 532
781	799	887	...	....	887	....	905, 910
603	611	738	...	....	753	....	772....
463	466	513	...	....	519	....	531, 532
636	637	...	...	....	....	....	.....
481	483	510	...	....	519	....	531, 532
478	483	540	...	....	540	....	566, 560
595	611	690	...	744	....	....	.....
595	611	806	...	....	839	....	884....
478	483	538	...	....	580	....	593....
588	596	681	...	....	668	....	682, 693
604	612	805	805	....	855	....	885....
592	610	687	...	....	741	....	758, 762
571	610	692	...	....	744	....	771, 772
582	588	599	...	....	614	....	663, 664
670	674	755	...	....	853	....	871, 885
608	612	754	...	754	763	....	813, 821
552	865	567	...	....	879	....	593....
485	507	572	...	....	573	....	592, 898
609	612, 656	859, 800, 868	653, 700, 710	....	725	....	905, 910
879	901	...	...	....	....	....	.....
720	740	...	...	....	....	....	.....
826	827	851, 893	857, 893	....	851	....	924, 926
595	611	687	687	....	741	....	770, 773
466	...	...	...	....	478	....	480, 482
675	683	690	...	....	744	....	770, 773
588	896	626	...	....	667	....	682, 693
674	683	806	...	....	....	838	.....
684	697	820	850	....	851	....	885....
695	708	756	...	....	834	....	876....

BILLS OF THE HOUSE OF REPRESENTATIVES.

Number.	AUTHOR AND TITLE.
428	Mr. Luccock—To pay certain local bounties
431	Mr. Fenton—To transfer certain funds in village of Archibald, Fulton county
433	Mr. Meuser—The probate code
434	Mr. Hitchcock—To authorize Chardon school district, Geauga county, to issue bonds
435	Mr. Cowgill—To authorize Goshen school district, Champaign county, to issue bonds
436	Mr. Groschner—To authorize board of education of Napoleon to issue bonds
437	Mr. Achauer—To levy an additional tax in Muskingum county
438	Mr. Achauer—To authorize Muskingum county to borrow money
439	Mr. Oglevee—To create a school district in Madison township, Clark county
440	Mr. Hayman—To authorize Scioto county to borrow money
445	Mr. Dunham—To authorize the village of Clyde to issue bonds
447	Mr. Groschner—To define certain water courses
449	Mr. Levering—To create a school district in Canaan township, Morrow county
457	Mr. Clough—To incorporate cemetery associations
458	Mr. Hayman—Relating to the commissioners of Scioto county
462	Mr. Cowgill—To authorize township trustees to procure road material
465	Mr. Dempcy—To transfer funds in Mayfield township, Cuyahoga county
467	Mr. Washburn—To authorize council of Waverly to issue bonds
468	Mr. Hitchcock—To relieve B. W. Canfield
469	Mr. Herrick—To build a public building in Sheffield township, Lorain county
470	Mr. Townsend—To transfer funds in Athens township, Athens county
472	Mr. Wolf—To divide Falls township, Hocking county, into two election precincts
474	Mr. Haley—To increase tax levy in Hardin county
475	Mr. Bohl—Relating to insurance companies
476	Mr. Parker—Relating to G. E. Padgitt
480	Mr. Poe—Relating to charitable associations
481	Mr. Townsend—Relating to military records of state
483	Mr. Ellis—To authorize commissioners of Ottawa county to borrow money
485	Mr. Jessup—To transfer funds in Miami township, Hamilton county
488	Mr. Bloom—The justices' code
489	Mr. Bohl—Relating to insurance companies
490	Mr. Herrick—To transfer funds of village of Elyria
492	Mr. Crosson—Relating to the commissioners of Hamilton and Clermont counties
498	Mr. Foster—Relating to incorporated companies
500	Mr. Greene—To amend the criminal code
503	Mr. Clough—To legalize certain bonds issued in Butler county
504	Mr. Palmer—Relating to city of Cleveland
510	Mr. Poe—To transfer funds of village of Brooklyn
511	Mr. Poe—To authorize village of West Cleveland to issue bonds
513	Mr. Johnson—To levy an additional tax in Tuscarawas county
514	Mr. Sullivan, of Hamilton—To create a school district in Anderson township
516	Mr. Klimper—Relating to pay of county officers
518	Mr. Seifert—To authorize city of Lancaster to issue bonds
519	Mr. Bloom—Relating to civil actions
520	Mr. Marsh—To relieve Henry P. Bennett

BILLS OF THE HOUSE OF REPRESENTATIVES.—CONTINUED.

Introduced.	Referred.	Reported.	Amended.	On table.	Passed Senate.	Indefinitely postponed and lost.	Enrolled and signed.
720	740	789	....	....	836	....	885....
591	610	687	....	....	742	....	758, 762
536	541	637	638	....	639	....	772....
478	483	540	....	....	540	....	556, 560
481	483	568	....	....	569	....	578, 583
595	611	651	....	....	668	....	682, 693
588	596	688	....	....	741	....	758, 862
669	674	803	....	....	437	....	876....
595	611	807	....	....	....	....	.....
603	611	648	....	....	668	....	682, 693
604	612	688	....	743	785	....	819, 829
720	740	782	....	....	834	....	876....
591	610	689	....	765	861	743	876....
694	683	719	....	....	748	....	771, 772
603	611	....	....	....	....	....	.....
609	612	627	....	....	647	....	660, 664
594	611	651	....	....	668	....	682, 693
583	587	621	621	....	621	....	639, 644
594	611	657	....	....	669	....	682, 693
674	683	728	....	....	728	....	758, 753
394	611	688	....	....	742	....	758, 762
671	674	707	....	....	745	....	771, 773
591	610	687	....	....	742	....	758, 760
658	666	889	....	....	903	....	929, 933
676	683	....	....	....	....	....	.....
665	673	808	....	....	840	....	875....
609	612	692	....	727	787	....	876....
670	679	687	....	....	742	....	758, 760
748	756	802	....	....	836	....	830, 856
650	654	777	787	....	778	....	853, 855
878	901	923	....	....	923	....	930, 933
665	674	727	....	....	728	....	758, 763
793	799	813	....	....	855	....	871, 884
829	886	916	....	....	916	....	928, 933
793	799	....	....	....	....	....	.....
739	756	806	....	....	837	....	876....
761	764	802	....	....	837	....	875....
646	654	688	....	....	743	....	758, 760
793	799	886	....	....	886	....	913, 921
747	756	....	....	....	837	....	884....
684	697	755	....	....	854	....	884....
879	901	....	....	....	902	....	920....
721	740	782	....	....	835	....	875....
657	666	681	681	976	681	....	699, 707
793	799	...	....	....	....	....	.....

BILLS OF THE HOUSE OF REPRESENTATIVES.

Number.	AUTHOR AND TITLE.
522	Mr. Loder—To authorize a temporary loan for sewerage purposes.....
526	Mr. Bull—To relieve Joseph Stafel.....
529	Mr. Bohl—Relating to insurance.....
530	Mr. Van Cleaf—Relating to township trustees.....
531	Mr. Sheets—To levy an additional tax in Hancock county.....
533	Mr. Harmon—Relating to libraries.....
534	Mr. Carpenter—To relieve H. L. Horton.....
535	Mr. Tyler of Licking—To provide poll books.....
538	Mr. Bohl—Relating to names of insurance companies.....
539	Mr. Palmer—To permit women to practice law.....
540	Mr. Parker—To relieve Geo. W. Woodward.....
541	Mr. Cowgill—Relating to roads.....
544	Mr. Sawyer—To authorize the village of Minster, Auglaize county, to issue bonds.....
546	Mr. Clough—To authorize the city of Hamilton to contract for gas.....
547	Mr. Sextro—Relating to the Cincinnati Southern Railroad.....
548	Mr. Van Cleaf—Relating to the reform school.....
552	Mr. Norton—To amend the probate code.....
553	Mr. Kellogg—To amend school law.....
554	Mr. Bohl—To pay expenses of investigating committees. ... .
555	Mr. Meuser—To print the municipal code.....
556	Mr. Johnson—To build certain bridges in Tuscarawas county.....
557	Mr. Bloom—To disburse the school fund in Mansfield.....
558	Mr. Perkins—To build an engine house in Medina.....

BILLS OF THE HOUSE OF REPRESENTATIVES.—CONTINUED.

Introduced.	Referred.	Reported.	Amended.	On table.	Passed Senate.	Indefinitely postponed and lost.	Enrolled and signed.
761	964	782	.....	.....	834	....	885....
720	740	... .	.....	.....	834	....	871, 878
765	799	889	.....	.....	904	....	930, 936
720	740	782	.....	.....	835	....	884....
895	895	898	.....	.....	911	....	931, 932
859	886	897	.....	.....	897	....	910, 913
705	708	718	.....	.....	748	....	771, 773
705	708	729	.....	.....	729	....	819, 829
787	799	894	.....	.....	904	....	919, 923
829	886	899	.....	.....	911	....	931, 936
746	756	802	.....	.....	836	....	875....
878	901	899	.....	.....	910	....	929, 933
		....		.....		....	
761	764	809	.....	.....	849	....	876, 921
773	799	888	888...	.....	888	....	908, 912
895	895	902	902...	.....	902	....	930, 932
779	799	807	... ..	.....	815	....	840, 843
781	799	... .	.....	..	....	....	.....
793	799	804	.....	.....	837	....	884....
811	814	886	886...	.....	886	....	913....
814	831	919	.....	.....	919	....	928, 932
877	901	921	.....	.....	921	....	928, 933
879	890	891	.....	.....	904	....	919, 923
878	894	897	.....	.....	898	....	930, 932

SENATE JOINT RESOLUTIONS.

Number.	AUTHOR AND TITLE.
1	Mr. Carson—To notify the Governor of organization of legislature.....
2	Mr. Forrest—Joint convention to canvass votes cast at State election.....
3	Mr. Sherrick—Relating to the inauguration of Governor.....
4	Mr. Krimmel—To print rules of the two Houses.....
5	Mr. Steedman—To print extra copies of Adjutant General's report.....
6	Mr. Owens—Relating to the election of a United States Senator.....
7	Mr. Carlisle—To print the agricultural report.....
8	Mr. Howland—Relating to a passage between two Houses.....
9	Mr. Steedman—Relating to the Toledo house of refuge.....
10	Mr. Joy—To investigate affairs at penitentiary.....
11	Mr. Fisher—To distribute the report of the centennial managers.....
12	Mr. Richards—Relating to soldiers' pensions.....
13	Mr. Joy—To employ a stenographer for investigating committees.....
13	Mr. Dungan—Relating to school books.....
14	Mr. Benson—Relating to the tariff on wool.....
15	Mr. Carlisle—To print report on hog cholera.....
16	Mr. Saltzgaber—Ventilation of the capitol.....
17	Mr. Steedman—Relating to the liquor traffic.....
18	Mr. Fisher—Printing the school laws.....
19	Mr. Curtiss—Proposing an amendment to the constitution.....
20	Mr. Marsh—Asking the board of public works for information.....
21	Mr. Joy—To print testimony.....
22	Mr. Richards—Relating to a protection tariff.....
23	Mr. Saltzgaber—To create a drainage commission.....
24	Mr. Marsh—To change glass in the Senate ceiling.....
25	Mr. Fisher—Relating to the railroad commissioner's report.....
26	Mr. Forrest—To adjourn *sine die*.....
27	Mr. Owens—Authorizing loan of battle flags.....
28	Mr. Krimmel—Authorizing Wm. A. Neil to bring a suit.....
29	Mr. Johnston—Relating to the condition of the State canals.....
30	Mr. Benson—Authorizing a salute in honor of the restoration of the silver dollar.....
31	Mr. Johnston—Relating to geological report.....
32	Mr. Saltzgaber—Relating to adjournment.....
33	Mr. Benson—To terminate the labors of the codifying commission.....
34	Mr. Owens—To amend the constitution.....
35	Mr. Parker—Requiring state treasurer to pay certain money to treasurer of Huron county.....
36	Mr. Saltzgaber—To print 2,000 copies of Senate Bill No. 41.....
37	Mr. Forrest—Relating to the Cincinnati Southern Railway.....
38	Mr. Lord—Relating to the deaf and dumb asylum.....
39	Mr. Armstrong—Cincinnati Southern Railway.....
40	Mr. Sabine—To loan state battle flags.....
41	Mr. Tyler—To purchase Longview asylum.....
42	Mr. Curtiss—To purchase Ohio digest.....
43	Mr. Johnston—To print additional copies of Secretary of State's report.....
44	Mr. Beer—To distribute public documents.....
45	Mr. Carson—Binding Secretary of State's report.....
46	Mr. Carson—Relating to adjournment.....
47	Mr. Carlisle—Narrow-gauge railway to reform school.....
48	Mr. Steedman—To drop pending canal suit.....
49	Mr. Owens—To publish Ohio State reports.....
50	Mr. Forrest—To improve certain land.....
51	Mr. Beer—To admit a certain person to Dayton asylum.....

SENATE JOINT RESOLUTIONS.—Continued.

Offered and referred.	Lost and on the Table.	Reported and amended.	Adopted.	Enrolled and Signed.
9			9	80
9			9	80
11			11	80
25			26	80
38			38	145
39			39	
44		129,	130	264
45		90	90	120
50		90	90	122
59		73	73	166
63		103	104	120
67			72	145
87	87			
104	184	184		
105, 257		257		
111		132	148	640
122		159	192	264
123	368	368		
130, 133		130, 133, 561	561	
147, 177	177, 368	368		
150, 151		183	183	264
154			154	264
170, 257	342	256, 341		
187	325, 359	305		
192, 193				
194			194	264
216	312	312		
216, 217		351	351	583
217	510	509		
258				
265			266	276
281		350	350	640
313	313			
326, 349	326	460		
327	368, 460	368		
351		409, 562	562	640
360			360	370
371, 389	372, 413	408, 412		
390, 391		426	426	502 504
417		543, 544	545	549, 665
422			422	583
461, 477	461			
499, 500				
521, 522				
521		567	567	640
537			537	572
540	540	643, 690	644, 691	665
562				
625				
641	641	652	652	843
652, 653		673, 721	673	772
656		662	662	699

SENATE JOINT RESOLUTIONS.

Number.	AUTHOR AND TITLE.
52	Mr. Lord—Relating to Longview asylum.....
53	Mr. Sherrick--To employ convict labor.....
54	Mr. Owens—Distribute debates of the constitutional convention.....
55	Mr. Dungan—To amend constitution .....
56	Mr. Carson—Giving railroad right to occupy canal bank.....
57	Mr. Forrest-Fixing day for adjournment.....
58	Mr. Richards—To lease berme bank of the Hocking canal.....
59	Mr. Owens—Relating to the municipal code.....
60	Mr. Steedman—Relating to the canal lessees.....
61	Mr. Johnston—Relating to distributing geological report.....
62	Joint resolution No. 1—Relating to adjournment.....

SENATE JOINT RESOLUTIONS.—CONTINUED.

Offered and referred.	Lost and on the Table.	Reported and amended.	Adopted.	Enrolled and signed.
672	....	....	672	775 ....
675	....	....	675	772 ....
702	....	....	703	....
728	729	....	....	....
784	....	785, 841	....	856 ....
890	....	....	891	925 ....
908	922	921	....	....
914	....	....	914	920 ....
916	....	....	....	....
929	....	....	930	937 ....
746	....	....	746	775 ....

HOUSE JOINT RESOLUTIONS.

Number.	AUTHOR AND TITLE.
1	Mr. Bohl--Relating to the Bland silver bill.....
2	Mr. Parker—To appoint committee on joint rules.....
3	Mr. Van Cleaf—Relating to inauguration.....
4	Mr. Bohl—Relating to resumption act.....
8	Mr. Estill—Relating to soldiers' pensions.....
10	Mr. Norton—To print Secretary of State's reports.....
12	Mr. Alexander—Relating to joint convention.....
13	Mr. Levering—Relating to Clark Tucker, insane.....
16	Mr. Meuser—Relating to codifying work.....
17	Mr. Poe—Relating to Adjutant General.....
18	Mr. Parker—Relating to printing the laws.....
19	Mr. Poe—To admit a person to Cleveland asylum.....
20	Mr. Smith—To loan battle flags.....
21	Mr. Bloom—To employ a stenographer.....
23	Mr. Van Cleaf—Relating to Lucas county insane asylum.. .....
24	Mr. Sawyer—To print report on labor statistics.....
25	Mr. Van Cleaf—To admit a person to insane asylum .....
27	Mr. Tyler—Relating to tariff on wool.....
28	Mr. Bull—To employ an architect at penitentiary.....
29	Mr. Greene—To admit Mr. Greene to insane asylum.....
30	Mr. Morrey—Relating to Edwin Daudua.....
32	Mr. Bloom—Relating to Attorney General.....
34	Mr. Douglass—To print report of fish commission.....
36	Mr. Sawyer—Relating to public works.....
39	Mr. Bohl—To admit a person to insane ayslum.....
40	Mr. Townsend—To admit a person to insane asylum.....
44	Mr. Achauer—To prevent removal of insane.....
46	Mr. Washburn—Relating to calendar of unfinished bnsiness.....
47	Mr. Hostetter—To execute a deed to Jno. A Mills.....
48	Mr. Stubbs—To print report on hog cholera.....
49	Mr. Greene—Relating to metric system of weights.....
50	Mr, Poe—To print labor statistics in German.....
51	Mr. Van Cleaf—To distribute debates of constitutional convention.....
52	Mr. Clough—Relating to board of public works... .....
53	Mr. Greene—Relating to James B. Monroe.....
54	Mr. White—To place time ball on State House.....
55	Mr. Alexander—Relating to convict labor.....
57	Mr. Meuser—Rescinding J. R. No. 1.....

HOUSE JOINT RESOLUTIONS.—Continued.

Offered and referred.	Lost and on Table.	Reported and amended.	Adopted.	Enrolled and signed.
13, 14, 56	52	57	60	80
14	....	....	16	....
14	14	....	....	....
126	....	257	299	334
70	174	174	203	236
67	....	....	83	99
41	41	....	....	....
55	....	....	56	68
68	....	77	77	99
70	98	98	....	....
127	....	....	127	151
594	....	....	....	....
192	....	421	422	437
111	....	....	112	120
463	....	490	509	646
131	....	139	139	172
143	....	149	149	171
234	....	....	....	....
613	....	....	628	644
192	....	195	195	231
209	217	217	....	....
384	....	....	384	405
323	....	525	525	550
505	....	....	505	535
505	....	....	505	535
505	....	....	505	535
698	....	889	889	914
650	....	658	858	878
658	....	703, 707	707	760
924	924	....	....	....
694	....	858	858	878
877	915	914 ..	....	....
847	....	915	915	933
784	....	797	797	839
798	....	809	809	843
903	....	929	929	935
811	... .	....	811	893
864	866, 868	873	....	874

SENATE RESOLUTIONS.

Number.	AUTHOR AND TITLE.
1	Mr. Carlisle—Relating to election of a President of the Senate
2	Mr. Tyler—Relating to rules of Senate
3	Mr. Fisher—To notify House
4	Mr. Richards—Granting use of Senate chamber
5	Mr. Krimmel—Selecting seats
6	Mr. Dungan—Relating to adjournments
7	Mr. Tyler—Relating to rules
8	Mr. Krimmel—Relating to porters
9	Mr. Fisher—Relating to prayer
10	Mr. Carlisle—Relating to pay of porters
11	Mr. Dungan—Relating to Senators' mail
12	Mr. Johnston—Relating to Sergeant-at-Arms
13	Mr. Richards—To provide a desk for clerk
14	Mr. Benson—To provide labels for Senators
15	Mr. Forrest—Giving Ed. L. Jones *per diem*
16	Mr. Saltzgaber—Relating to adjournments
17	Mr. Jackson of Perry—Granting the use of Senate chamber to Governor and staff
18	Mr. Krimmel—Giving Jas. A. Lantz *per diem*
19	Mr. Forrest—Appointing a page
20	Mr. Seitz—Relating to report of centennial managers
21	Mr. Howland—Relating to adjournments
22	Mr. Marsh—Creating committee on fish culture and game
23	Mr. Krimmel—Giving S. N. Field *per diem*
24	Mr. Curtiss—To purchase wardrobes
25	Mr. Richards—Allowing mileage to officers of Senate
26	Mr. Sherrick—Fixing pay of pages
27	Mr. Howland—Relating to Baker-Curtiss case
28	Mr. Owens—Giving *per diem* to J. C. Donaldson
29	Mr. Richards—Relating to fees of county officers
30	Mr. Benson—Relating to Senate furniture
31	Mr. Sherrick—Fixing pay of porters
32	Mr. Johnston—Paying extra pages
33	Mr. Carlisle—Relating to ventilation of the capitol
34	Mr. Tyler—Relating to assistant clerks
35	Mr. Carson—Appointing a clerk *pro tem*
36	Mr. Seitz—Appointing an extra porter
37	Mr. Forrest—Relating to directors of Longview asylum
38	Mr. Owens—Giving an extra clerk 15 days *per diem*
39	Mr. Benson—Creating a committee on drains
40	Mr. Tyler—Relating to the Senate clerks
41	Mr. Owens—Relating to claims of railroads against the State
42	Mr. Tyler—Relating to the State printer
43	Mr. Curtiss—Relating to the Lucas county insane asylum
44	Mr. Johnston—Granting use of Senate chamber to Mexican veterans
45	Mr. Forrest—To rescind S. R. No. 21
46	Mr. Sherrick—Relating to the plates and engravings of geological report
47	Mr. Seitz—Relating to the Death of Hon. Benjamin Wade
48	Mr. Forrest—Relating to adjournment
49	Mr. Richards—To purchase carpet for Senate committee room
50	Mr. Sherrick—To rescind S. R. No. 21
51	Mr. Saltzgaber—Limiting members' speeches
52	Mr. Forrest—To employ more clerks
53	Mr. Saltzgaber—Relating to pending canal suit

SENATE RESOLUTIONS.—Continued.

Offered and referred.	Reported.	Amended.	Lost and on Table	Adopted.
6	....	.....	.....	6
8	....	.....	.....	8
9	....	.....	.....	9
10	....	.....	.....	10
10	....	.....	.....	10
10	....	.....	.....	10
11	....	.....	.....	11
11	....	.. .	.....	11
12	....	.....	.....	12
12	....	.....	.....	12
12	....	.....	.....	12
16	....	.....	.....	17
17	....	.....	.....	17
21	52	52	.....	52
22	....	27	.....	27
25	....	.....	.....	25
26	....	.....	.....	26
27	....	.....	.....	27
27	....	.....	.....	27
27	....	33	.....	33
29	....	...	.....	29
32	....	.....	.....	32
32	....	.....	.....	32
32	....	.....	.....	....
36	48	.....	.....	48
38	43	.....	.....	43
39	....	.....	.....	39
40	48	.....	.....	49
44	....	.....	.....	....
44	....	.....	.....	44
46	65	65	.....	65
51	....	.....	.....	51
57	....	.....	.....	57
62	....	.....	.....	62
63	....	.....	.....	63
65	....	.....	.....	65
68	75	.....	.....	76
83	94	.....	.....	94
108	....	.....	.....	108
108	....	.....	.....	108
123	....	.....	.....	123
159	166, 335	.....	159	335
193	....	.....	.....	193
202	....	.....	.....	202
216	805	.....	.....	805
244	....	.....	.....	244
272	....	.....	.....	272
449	....	.....	449	....
461	....	.....	461	465
....	....	.....	563	....
605	....	.....	.....	605
647	....	.....	653	648
....	....	.....	.....	....

SENATE RESOLUTIONS.

Number.	AUTHOR AND TITLE.
54	Mr. Beer—To admit Amelia Pittenger to insane asylum.....
54	Mr. Steedman—To investigate charges regarding Cincinnati Southern Railway.....
55	Mr. Marsh—Relating to an assault by one Wm. Bell, Jr.....
56	Mr. Joy—Relating to appointments at penitentiary.....
57	Mr. Lord—To pay certain clerk extra.....
58	Mr. Fisher—Relating to clerk of Senate.....
59	Mr. Krimmel—To complete record of Senate Journal.....
60	Mr. Carson—Allowing extra compensation to assistant Sergeant-at-Arms...
61	Mr. Carson—Allowing extra pay to porters.....
62	Mr. Curtiss—Returning thanks to the President.....
63	Mr. Richards—Returning thanks to President *pro tem*.....
64	Mr. Owens—To give extra pay to porter.....

SENATE RESOLUTIONS.—CONTINUED.

Offered and referred.	Reported.	Amended.	Lost and on Table.	Adopted.
656	....	.....	.....	.....
659	....	659	959	.....
684	....	.....	684	.....
685	....	.....	685	782
780	....	.....	.....	780
784	....	.....	.....	784
785	802	802	.....	802
920	....	.....	920	928
921	....	.....	921	931
922	....	.....	.....	922
922	....	.....	.....	922
925	....	.....	.....	925

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